

THE
Parliamentary Register;
OR,
HISTORY
OF THE
PROCEEDINGS AND DEBATES
OF THE
HOUSES of LORDS and COMMONS.

CONTAINING AN ACCOUNT OF

The most interesting SPEECHES and MOTIONS; accurate
Copies of all the PROTESTS, and of the most remarkable
LETTERS and PAPERS; together with the most material
EVIDENCE, PETITIONS, &c. laid before and offered to either
HOUSE,

DURING THE

FOURTH SESSION of the EIGHTEENTH PARLIAMENT

OF

GREAT BRITAIN.

VOL. XII.

LONDON:

PRINTED, AT THE ORIENTAL PRESS, BY WILSON AND CO.
Wild Court, Lincoln's Inn Fields, London,

For J. DEBRETT, opposite Burlington House, Piccadilly.

1800.



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TO THE
DEBATES AND PROCEEDINGS.

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THE
HISTORY
OF THE
PROCEEDINGS AND DEBATES
OF THE
HOUSES OF LORDS AND COMMONS,

In the FOURTH SESSION of the
Eighteenth Parliament of GREAT BRITAIN,

Appointed to be holden at WESTMINSTER,
On TUESDAY the 27th of SEPTEMBER 1796.

HOUSE OF LORDS.

Monday, May 26.

GEORGE ROSE, Esq. (Clerk of the Parliaments) entered the House, in front of the Throne, and handed to the Lord Speaker (Eldon) a paper, the contents of which he immediately communicated to their Lordships from the woolfack. The document set forth, that the Clerk of the Parliaments had appointed William Stewart Rose, (late Member in the House of Commons for Christ Church) to be Reading Clerk of the House, and Clerk of their Lordships' Private Committees, in the room of Matthew Robert Arnott, Esq. deceased. —And the question being put (*pro forma*) for their Lordships' acquiescence in the appointment, it was ordered accordingly.

Shortly after, Mr. W. S. ROSE, the new Reading Clerk, was introduced; and, having made his obeisance to their Lordships, immediately entered upon the functions of his office.

The Earl of WESTMORLAND presented, by command of His Majesty, an address to the King from both Houses of the Irish Parliament ; stating their acquiescence in the alterations made by the Parliament of Great Britain in the articles proposed by the former as a basis for an Union with this country ; and praying His Majesty to order the same to be signified to his Parliament of Great Britain. His Lordship then presented a schedule of certain countervailing duties proposed and agreed upon by the Parliament of Ireland, and referred to in their address to His Majesty.

The address and schedule were ordered to lie upon the table, copies thereof to be printed for the use of their Lordships, and to be considered by a Committee of the whole House to-morrow.

Mr. SYLVESTER DOUGLAS brought up from the Commons certain resolutions agreed upon by a Committee of that House respecting the countervailing duties referred to in the sixth or commercial article of the proposed Union with Ireland—and ordered to be communicated for the concurrence of their Lordships.

The resolutions being received, the House, on the motion of Lord AUCKLAND, immediately went into a Committee (Lord Walsingham in the chair) upon the same, when the noble Lord stated, that the proposed countervailing duties were so clearly specified in the resolutions so long before the public, and so very generally approved of, as to render any observations thereon unnecessary. He moved therefore, "That the Committee do agree to the proposed schedule," which meeting with the unanimous concurrence of their Lordships, was ordered accordingly ; and the House resuming, the report of the Committee was confirmed. An address was forthwith voted to His Majesty, proposed to be joint from both Houses of Parliament, praying that the schedule agreed upon be transmitted to the Parliament of Ireland—and a message sent to acquaint the Commons with their Lordships' proceedings in consequence of their communication, and to desire the concurrence of the Commons in their Lordships' address to His Majesty.

HOUSE OF COMMONS.

Monday, May 26.

Pigot's Diamond Lottery Bill was read a third time, passed, and ordered to the Lords.

A message from the Lords informed the Commons, that their Lordships had passed a bill for the more effectually punishing of the crime of adultery.

Mr. Chantellor PITT presented to the House, by His Majesty's command, a paper, intituled, "Statement of Countervailing Duties;" and also, "Copy of the humble Address to His Majesty of the Lords Spiritual and Temporal and Commons of Ireland, in Parliament assembled."

And the titles of the said papers being read,

Ordered, That the said papers be referred to the consideration of the Committee of the whole House, to whom it is referred to consider further of His Majesty's most gracious message of the 2d day of April last, communicating to this House the resolutions of the Lords and Commons of Ireland, respecting a Union between the kingdoms of Great Britain and Ireland, with their address to His Majesty thereupon.

Mr. DOUGLAS (according to order) reported from the Committee of the whole House, to whom it was referred to "consider further of his Majesty's most gracious message of the 2d day of April last, communicating to this House the resolutions of the Lords and Commons of Ireland respecting a Union between the kingdoms of Great Britain and Ireland, with their address to His Majesty thereupon," the resolution which the Committee had directed him to report to the House; which he read in his place, and afterwards delivered in at the table, where the same was read, and agreed to by the House, and is as follows, viz.

Resolved, That the several duties herein-after-mentioned shall be the countervailing duties to be paid on importation from Ireland into Great Britain, after the Union of the two kingdoms, on the several articles enumerated in the schedule No. 1, A, annexed to the sixth article of the Union between the said kingdoms, viz.

Beer. For every barrel consisting of thirty-six gallons, English beer measure, of Irish beer, ale, or mum, which shall be imported into Great Britain directly from Ireland, and so in proportion for any greater or less quantity, to be paid by the importer thereof. £. 0^s 8 0

Bricks and Tiles. For every thousand of Irish bricks. 0 5 0

For every thousand of Irish plain tiles. 0 4 10

For every thousand of Irish pan or ridge tiles. 0 12 10

For every hundred of Irish paving tiles, not exceeding ten inches square. 0 2 5

For every hundred of Irish paving tiles exceeding ten inches square. 0 4 10

For every thousand of Irish tiles, other than such as are herein-before enumerated and described, by whatsoever name or names such tiles are or may be called or known. 0 4 10

Candles. For every pound weight avoirdupois of Irish candles or tallow, and other candles whatsoever (except wax and spermaceti). 0 0 1

For every pound weight avoirdupois of Irish candles which may be made of wax or spermaceti, or which are usually called or sold either for wax or spermaceti, notwithstanding the mixture of any other ingredient therewith £ 0 0 3½

Chocolate, &c. For every pound weight avoirdupois of Irish cocoa, cocoa paste, or chocolate 0 2 0

Cordage, viz. To be used as standing rigging, or other cordage made from topt hemp, the ton, containing 20 cwt. 4 10 3

Of any other sort, cable yarn, packthread, and twine, the ton, containing 20 cwt. 4 4 4

Cyder and Perry. For every hogshead, consisting of 63 gallons English wine measure, of Irish cyder and perry, which shall be imported as merchandize, or for sale, and which shall be sent or consigned to any factor or agent to sell or dispose of 0 19 2

Glass. For every square foot superficial measure of Irish plate glass 0 2 2½

For every hundred weight of Irish flint, enamel, stained, paste, or phial glass 2 8 6

For every hundred weight of Irish spread window glass, commonly called broad glass 0 8 1

For every hundred weight of Irish window glass (not being spread glass), whether flashed or otherwise manufactured, and commonly called or known by the name of crown glass, or German sheet glass 1 9 9

For every hundred weight of vessels made use of in chemical laboratories, and of garden glasses, and of all other vessels or utensils of common bottle metal, manufactured in Ireland (common bottles excepted) 0 4 0½

For every hundred weight of any sort or species of Irish glass (not herein-before enumerated or described) 2 2 0

Bottles of common green glass, the dozen quarts 0 0 9

Hops. For every pound weight avoirdupois of Irish hops 0 0 1½

Leather unmanufactured. For every pound weight avoirdupois of hides of what kind soever, and of calve skins, kips, hog skins, dog skins, and seal skins, tanned in Ireland; and of sheep skins and lamb skins, so tanned, for gloves and bazils, which shall be imported in the whole hide or skin, and neither cut nor diminished in any respect whatever 0 0 1½

For every dozen of goat skins tanned in Ireland to resemble Spanish leather 0 4 0

For every dozen of sheep skins tanned in Ireland for roans, being after the nature of Spanish leather 0 2 3

For every pound weight avoirdupois of all other hides or skins not herein-before enumerated and described, and of all pieces and parts of hides or skins which shall be tanned in Ireland 0 0 6

For all hides of horses, mares, and geldings, which shall be dressed in alum and salt or meal, or otherwise tawed in Ireland, for each and every such hide 0 1 6

For all hides of steers, cows, or any other hides of what kind soever (those of horses, mares, and geldings excepted)

which shall be dressed in alum and salt or meal, or otherwise tawed in Ireland, for each and every such hide £. 0 3 0

For every pound weight avoirdupois of all calves skins, kips, and seal skins, which shall be so dressed in alum and salt or meal, or otherwise tawed in Ireland, and imported into Great Britain, in the whole skin, and neither cut nor diminished in any respect whatever 0 0 1½

For every dozen of flink calve skins, which shall be so dressed in alum and salt or meal, and otherwise tawed with the hair on, in Ireland 0 3 0

For every dozen of flink calve skins which shall be so dressed in alum and salt or meal, or otherwise tawed without hair, in Ireland; and for every dozen of dog skins and kid skins, which shall be dressed in alum and salt or meal, or otherwise tawed in Ireland 0 1 0

For every pound weight avoirdupois of buck and doe skins, which shall be dressed in alum and salt or meal, or otherwise tawed in Ireland, and which shall be imported in the whole skin, and neither cut nor diminished in any respect whatever 0 0 6

For every dozen of goat skins, and beaver skins, which shall be dressed in alum and salt or meal, or otherwise tawed in Ireland 0 2 0

For every pound weight avoirdupois of sheep skins and lamb skins, which shall be dressed in alum and salt or meal, or otherwise tawed in Ireland, and which shall be imported in the whole skin, and neither cut nor diminished in any respect whatever 0 0 1¼

For every pound weight avoirdupois of all other hides and skins not herein-before enumerated and described, and of all pieces or parts of hides or skins, which shall be dressed in alum and salt or meal, or otherwise tawed in Ireland 0 0 6

For every pound weight avoirdupois of all buck, deer, and elk skins, which shall be dressed in oil, in Ireland, and imported in the whole skin, and neither cut nor diminished in any respect whatever 0 1 0

For every pound weight avoirdupois all sheep and lamb skins, which shall be dressed in oil in Ireland 0 0 3

For every pound weight avoirdupois of all other hides and skins, and parts and pieces of hides and skins, which shall be dressed in oil in Ireland 0 0 6

For every dozen of Irish vellum 0 3 5½

For every dozen of Irish parchment 0 1 8¼

Leather manufactured into goods and wares. For every pound weight avoirdupois of tanned leather manufactured, and actually made into goods or wares, in Ireland 0 0 1½

For every pound weight avoirdupois of Irish made boots and shoes and gloves, and other manufactures made of tawed or dressed leather 0 0 1

For every pound weight avoirdupois of all buck and deer skins, and elk skins, dressed in oil, and manufactured into goods and wares, in Ireland 0 1 0

For every pound weight avoirdupois of all sheep and lamb skins, dressed in oil, and manufactured into goods or wares, in Ireland.....	£. 0	0	3
For every pound weight avoirdupois of all other hides and skins not herein-before enumerated or described, dressed in oil, and manufactured into goods or wares, in Ireland.....	0	0	6
<i>Mead or Metheglin.</i> For every gallon, English wine measure, of Irish mead or metheglin.....	0	1	0½
<i>Paper.</i> For every pound weight avoirdupois of Irish paper fit or proper, or that may be used for, or applied to, the uses or purposes of writing, drawing, and printing, or either of them, and of all Irish elephant papers and cartridge papers.....	0	0	2½
For every pound weight avoirdupois of Irish coloured papers, and whitened brown papers (other than and except elephant and cartridge papers) fit and proper for the use and purpose of wrapping up goods, and not fit or proper, or capable of being used for, or applied to, the purposes of writing, drawing, and printing, or either of them.....	0	0	1
For every pound weight avoirdupois of Irish brown paper, fit and proper for the use and purpose of wrapping up goods, and not fit or proper, or capable of being used for, or applied to, the uses and purposes of writing, drawing, and printing, or either of them.....	0	0	0½
For every pound weight avoirdupois of every sort or kind of Irish paper, not herein-before enumerated or described, (sheathing and button paper, and button board excepted)...	0	0	2½
For every one hundred weight of Irish pasteboard, mill-board, and scaleboard.....	0	10	0
For every one hundred weight of Irish glazed papers for clothiers and hot-pressers.....	0	6	0
For every pound weight avoirdupois of books bound or unbound, and of maps or prints, which shall be imported into Great Britain directly from Ireland.....	0	0	2
<i>Printed Goods.</i> For every yard square of Irish printed, painted, or stained paper, to serve for hangings or other uses.....	0	0	1¼
For every yard in length, reckoning yard-wide, of foreign callicoos and foreign muslins, which shall be printed, painted, stained, or dyed in Ireland (except such as shall be dyed throughout of one colour), over and above any duty of customs payable on the importation of foreign callicoos and muslins.....	0	0	7
For every yard in length, reckoning yard-wide, of all Irish printed, painted, stained, or dyed Irish-made callicoos, muslins, linens, and stuffs, made either of cotton or linen mixed with other materials; fustians, velvets, velverets, dimities, and other figured stuffs made of cotton and other materials, mixed or wholly made of cotton wool (except such as shall be dyed throughout of one colour only.....	0	0	3½
For every yard in length, reckoning yard-wide, of all Irish printed, stained, painted, or dyed Irish made stuffs not before enumerated or described, (except such as shall be dyed			

throughout of one colour only, and except stuffs made of woollen, or whereof the greatest part in value shall be woollen) £. 0 0 3½

For every yard in length, reckoning half-yard wide, of all Irish printed, stained, painted, or dyed silks (silk handkerchiefs excepted) over and above any duty of customs payable on the importation of silk 0 1 1½

For every yard square of Irish printed, stained, painted, or dyed silk handkerchiefs, and so in proportion for wide or narrow silk handkerchiefs, over and above any duty of customs payable on silk 0 0 4½

Salt. For every bushel, consisting of 56lb. weight avoirdupois, of Irish salt, or Irish Glauber, or Irish Epsom salt 0 10 0

For every bushel, consisting of 65lb. weight avoirdupois, of Irish rock salt 0 10 0

Silk—Manufactures of. Ribbons and stuffs of silk only, the pound containing 16 ounces only 0 5 0

Note. Two-thirds of the weight of gauze, and one-third of the weight of crape, is to be deducted for gum and dress.

Silk, and ribbons of silk mixed with gold or silver, the pound containing 16 ounces 0 6 8

Silk stockings, silk gloves, silk fringe, silk laces, stitching or sewing silk, the pound containing 16 ounces 0 3 0

Silk, manufactures of; not otherwise enumerated or described, the pound containing 16 ounces 0 4 0

Stuffs of silk and program yarn, the pound containing 16 ounces 0 1 8

Stuffs of silk mixed with incl or cotton, the pound containing 16 ounces 0 1 8

Stuffs of silk and worsted, the pound containing 16 ounces 0 0 10

Stuffs of silk mixed with any other material, the pound containing 16 ounces 0 1 8

Soap. For every pound weight avoirdupois of Irish hard, cake, or ball soap 0 0 2½

For every pound weight avoirdupois, of Irish soft soap 0 0 1½

Spirits, British. For every gallon English wine measure of spirits, aqua vitæ, or strong waters, which shall be distilled or made in Ireland, and imported at a strength not exceeding one to ten over hydrometer proof 0 5 1½

Note. Spirits above the strength of one to ten will be charged in proportion: and on sweetened or compounded spirits, the duty will be computed upon the highest degree of strength at which such spirits can be made.

Starch. For every pound weight of Irish starch or hair powder, of what kind soever 0 0 3½

Sugar, refined, viz. called bastards, whole or ground, the cwt. 0 18 2

Lumps, the cwt. 1 14 0½

Single loaf, the cwt. 1 16 4

Powder loaf, the double loaf, the cwt. 1 19 1

Sugar candy, brown, the cwt. 1 14 0½

Sugar candy, white, the cwt.....	£. 1 19 1
Sugar, refined, of any other sort, the cwt.....	1 19 1
<i>Sweets.</i> For every barrel, consisting of thirty-one gallons and a half English wine measure, of Irish sweets, or other Irish liquor made by infusion, fermentation, or otherwise, from fruit or sugar, or from fruit or sugar mixed with any other materials or ingredients whatsoever, commonly called sweets, or called or distinguished by the name of made wines	2 2 0
<i>Tobacco and Snuff.</i> For every pound weight avoirdupois of unmanufactured tobacco, of the growth or produce of Ireland, over and above any duty of customs.....	0 1 1
For every pound weight avoirdupois of Irish manufactured short cut tobacco, or tobacco manufactured into what is commonly called or known by the name of Spanish.....	0 1 7
For every pound weight avoirdupois of Irish manufactured shag tobacco.....	0 1 5 $\frac{3}{4}$
For every pound weight avoirdupois of Irish manufactured roll tobacco.....	0 1 7
For every pound weight avoirdupois of Irish manufactured carrot tobacco.....	0 1 5 $\frac{1}{2}$
For every pound weight avoirdupois of every other sort of Irish manufactured tobacco not herein-before enumerated or described.....	0 1 7
For every pound weight avoirdupois of Irish manufactured rappee snuff.....	0 1 4 $\frac{1}{4}$
For every pound weight avoirdupois of Irish manufactured Scotch snuff.....	0 1 10 $\frac{1}{2}$
For every pound weight avoirdupois of Irish manufactured brown Scotch snuff.....	0 1 8 $\frac{3}{4}$
For every pound weight avoirdupois of Irish manufactured tobacco stalk flour.....	0 1 9
For every pound weight avoirdupois of every other sort or kind of Irish manufactured snuff, or snuff work, not herein-before enumerated or described.....	0 1 10 $\frac{1}{2}$
Tobacco unmanufactured, the pound.....	0 0 6 $\frac{9}{16}$
<i>Verjuice.</i> For every hogshead, consisting of sixty-three gallons English wine measure, of Irish verjuice.....	0 7 8
<i>Vinegar.</i> For every barrel, consisting of thirty-four gallons English beer measure, of Irish vinegar.....	0 12 8 $\frac{1}{4}$
<i>Wire.</i> For every ounce troy weight of Irish gilt wire..	0 0 9 $\frac{1}{4}$
For every ounce troy of Irish silver wire.....	0 0 7
For every pound weight avoirdupois of Irish gold thread, gold lace, or gold fringe, made of plate wire, spun upon silk..	0 7 8
For every pound weight avoirdupois of Irish silver thread, silver lace, or silver fringe, made of plate wire spun upon silk..	0 5 9

Ordered, That a message be sent to the Lords to communicate to their Lordships the said resolution, and that their Lordships concurrence be desired thereto.

Ordered, also, That Mr. Douglas do carry the said message and resolution to the Lords.

Mr. Chancellor PITT moved the order of the day for the House to go into a Committee of supply ; which being read, he moved, " That the treaty between His Britannic Majesty and the Elector Palatine of Bavaria should be referred to the said Committee ; and also that the estimates presented to the House on last Friday, would be referred to the said Committee, which were agreed to.

The House then resolved into a Committee of supply.

Mr. Chancellor PITT said, that he had the satisfaction to inform the Committee, that the terms of the treaty now before them were more economical than any other that we were able to make. He would not detain their attention longer, but move, " That a sum not exceeding 566,688*l.* should be granted to His Majesty to defray the expences of the 12,000 troops engaged of the Elector of Bavaria, for the service of His Britannic Majesty."

Mr. TIERNEY thought himself justified in calling on the right honourable the Chancellor of the Exchequer for some explanation respecting our connections with the Emperor of Germany. From the very advanced state of the campaign, it must seem strange that we should be carrying on war, and voting subsidies, without knowing either the grounds or expectations of such measures. He did not mean to push that question now ; but he wished to express his desire of information on the subject, and hoped that after the holidays, at an early day, the right honourable gentleman would be ready to give an answer to the satisfaction of the House. We were now voting a specific sum as a subsidy, and we had already voted a sum of 500,000*l.* on credit towards subsidies : he would wish to know, whether, of the 500,000*l.* any part was to be paid to the Russians ; because, from the statement of the unfunded debt, no notice was taken of the 45,000 Russians engaged in the service of this country. He wished to know whether the 500,000*l.* was to be applied to any of the treaties of the last year, as he intended to move for certain outstanding accounts.

Mr. Chancellor PITT said, that he had stated on a former occasion, that he would early after the holidays be enabled to give every explanation on that subject, and hoped that it would be on a very early day in his power to fulfil that promise. On the vote of 500,000*l.* he had to inform the honourable gentleman (Mr. Tierney) that it was voted on the general principle of being applied in such a manner as would best enable His Majesty to get all the necessary aid against the common enemy. He would not enter on the detail of this, as it would shortly come in due form before the House. On the Russians, he said he would just state, that some

sums of money will be due to them when they come into our service, and that would be stated in due time.

Mr. TIERNEY said, that he was not satisfied with the explanation of the Right Honourable Gentleman, who said that whatever the object may be he would produce a something like a treaty with the Emperor. He (Mr. Tierney) had also to inquire after the sum of 1,600,000*l.* of which the Emperor got possession about two years ago, for no duty then done by him, and of which there was no account since made. He hoped for the very early day the Right Honourable Gentleman mentioned, to discuss this business of the Emperor, and to have an explanation for voting away the public money.

Mr. Chancellor PITT said, that the debt alluded to by the Honourable Gentleman was acknowledged as for this year; and on the subject of a treaty he did not deny that there would be a treaty; but he said that it would not be in readiness at so early a period as that mentioned by him, as there must be some time for its ratification; but the House should, he said, have a full account of the engagements entered into by his Majesty with the Emperor, though they could not be so immediately ratified.

The House was resumed, and the Report was ordered to be received to-morrow.

A message was brought from the Lords, by Mr. Holford and Mr. Graves, That the Lords had agreed to the resolution of this House relative to the countervailing duties to be paid on importation from Ireland into Great Britain, after the union of the two kingdoms, on the several articles enumerated in the schedule, No. 1. A, annexed to the 6th article of the Union between the said kingdoms, and have also agreed to an address to his Majesty thereupon, to which they desire the concurrence of this House.

Mr. Chancellor PITT then moved that the address should be read; which being done, he moved that it should be read a second time.

Mr. WILBERFORCE BIRD objected to the schedule of countervailing duties, as highly disadvantageous to the interests of Great Britain. He took notice of the arguments of the Chancellor of the Exchequer, in which he (Mr. Pitt) contended that a country old in manufactures, could undersell one whose manufactures were in their infancy, even though the price of labour was higher than the old one, and this on account of its superior capital and skill. This, though true in general, he (Mr. Bird) said, was liable to exceptions, and instanced it in the case of the Spitalfields manufacturers, who went down to Scotland, carried on their trade, and

were soon enabled to undersell the Spitalfields weavers in their own market. This consideration would, he hoped, induce the Chancellor of the Exchequer to consider what they were about, as he (Mr. Bird) had no idea of this kind of liberality. He then made some comparative calculations to prove this disadvantage, and deprecated the adopting of it.

Mr. Chancellor PITT said, that the resolutions were already agreed upon, though it was natural for the Honourable Gentleman to express his anxiety on a subject of which he had taken up such an opinion. But on his part, he said, he was of a contrary opinion; he thought the advantages mutual, and such as would ultimately turn out to be beneficial to both kingdoms. He then examined the calculations made by Mr. Bird, and drew a different conclusion.

The address was then read a second time, and it was

Resolved, That this House doth agree with the Lords in the said address to be presented to his Majesty; and that the blank therein be filled up with the words "and Commons."

Ordered, That a message be sent to the Lords, to acquaint their Lordships that this House hath agreed to the address to which the Lords desired the concurrence of this House, and have filled up the blank therein with the words "and Commons."

Ordered also, That Mr. Douglas do carry the said message.

The address, when filled up, was as follows:

"Most Gracious Sovereign,

"We, your Majesty's most dutiful and loyal subjects, the Lords Spiritual and Temporal, and Commons, in Parliament assembled, beg leave to lay before your Majesty a statement of the countervailing duties which we have agreed upon as necessary to be imposed on articles the growth, produce, or manufacture of Ireland, imported into Great Britain; which we humbly request your Majesty will communicate to the two Houses of Parliament of Ireland, for their concurrence."

Mr. BRAGGE brought up the report from the Committee of Supply of last Friday, voting the sum of 41,400*l.* as a compensation for the owners of the ships the Aurora, the Mentor, and the Lark, for the loss of their ships, burned by order, as infected, at Mogadore; which was read and agreed to.

The MASTER of the ROLLS said, that he understood a bill was brought down to the House which made a great noise, and on which it was not his intention to enter at present, farther than to propose that it should be read a first time, and printed before it should be read a second time; he would therefore move, "That the Bill for the more effectual punishing of adultery be now read."

Mr. BOUVERIE rose and said, that he did not know whether this was the time to oppose—

He was going to proceed, when

The SPEAKER informed him, that the House did not know what the Bill contained, and had no means of knowing it until it was read; and therefore there was a necessity that it should be read a first time, which was agreed to. The Speaker then read the respective clauses, on which

The MASTER of the ROLLS moved that it should be read a second time.

Mr. BOUVERIE returned thanks to the Speaker for his information, and proceeded in observing that the contents of the bill were now known to all. His objections were on Parliamentary grounds, as it went to limit the powers of the Legislature, by preventing the bringing in a bill of divorce unless under the terms prescribed by this bill. He knew an instance of this did exist, but it was an oversight of the Legislature to have suffered such a bill to pass.—This bill too presumed upon some abuse which the Legislature had made of its powers in passing bills of divorce, which was said to give rise to this new regulation. Was that the case? and if we were not justified in passing such bills, let us, he said, delegate that power to some more-proper tribunal. But why we should put it out of our power to pass laws on bills of divorce he did not know, and therefore intended to oppose this bill in every stage, and to take the sense of the House upon it on this as on every future stage.

The MASTER of the ROLLS said, that this was the first time he had known a bill of this sort opposed in the first instance. The leading objection, he perceived, consisted in its making that a misdemeanour which before was an action; the other point, which went to prevent the adulterer from intermarrying with the adulteress, was no material objection at all. He appealed then to the experience of the House whether it was not usual to read such a bill in form once, and then print it for the better consideration of it, and not inconsiderately throw it out, as no bill ever was, before Gentlemen had an opportunity of giving their opinion on it.

Sir GILBERT HEATHCOTE said, that he had read all the discussions on it:—[A call to order.]—He then proceeded to say, that he would give it all the opposition in his power; not that it was his idea that adultery should be encouraged—he would wish to see it checked and punished; but because it transferred the right of punishing from the Jury to the Judges, arming them with new and formidable powers. He would not enter further on the subject, as it was not now proposed to discuss it, but give it at once his negative.

Mr. Chancellor PITT rose in support of the bill, and said, that the Honourable Gentleman who spoke first against it assigned no one reason why it should not pass. The arguments went by no means to the essentials of the bill, the making a misdemeanour of that which is now but a civil trespass, and the preventing the parties from marrying again. He abstained too from the principle, but objected to one particular clause which the Lords had introduced, and which a word may remove in the Committee, namely, that of taking away the right of appealing to the Legislature for bills of divorce unless the parties had complied with the provisions of the act. He now called upon Gentlemen to say whether they could at present be competent to throw out such a bill on a bare first view, unless they were decidedly of opinion that the parties under the act should be permitted to marry again, or that they thought the crime of adultery should not be punished as a misdemeanour. There were a variety of opinions on this former clause, and many too from laudable feelings were much against it, but not to such a degree as to prevent a discussion of it, and such a modification as may effectually provide against a growing evil. One Honourable Baronet opposed its form, and another Honourable Gentleman opposed its substance; he agreed with his Honourable friend, the Master of the Rolls, that this was not the time for discussion. "Whoever thinks it a matter of grave consideration, affecting the security of public morals, will not shew a hasty or indignant desire to reject it, after the grave and mature deliberation it has undergone in another place. Whether viewed on the grounds of protecting the public morals, or on the foundation of public policy, no man can treat it as a light or trivial consideration, nor will I, under such consideration, stifle it in its birth." On the clause of misdemeanour, he did not think any man could object; the other clause formed a variety of opinions, subject to the modification of those who were interested for the public good. On the whole, he thought the benefits would preponderate in favour of society; and that whatever degree of severity was inflicted on the few, it would operate beneficially for the whole. Did the question arise on the sufferings of an innocent individual, no man would hesitate to balance between the good and evil; but when the law was made to act upon offending individuals, there was no man who did not see that general benefit would result from it. In order to estimate justly such a regulation, he must balance between all those whose innocence, whose virtues, and whose characters might be endangered and lost, and those whose guilt had been detected and proved, and consider the preservation of the former class as dependent upon the detection and punishment of the

latter. He could not see how any man could withhold his assent from the further progress of the bill, unless such a man was anxious to give his opinion that the Legislature should not further interfere, or pay further regard to the security of the morals of the country.

Sir G. HEATHCOTE explained.

Mr. JOLLIFFE admitted that some regulations should be made; but these were so oppressive, so unjust, that the mind revolted at them. He denied that the number of divorces was any proof that adultery had increased: this proved only that divorce bills were now more frequently passed than formerly, and not that adultery was more frequently committed. He objected to making adultery a misdemeanour, but not to punishing of it severely. He had other objections which led him to object to the bill *in toto*, unless it were so altered as to leave nothing but the preamble behind.

The ATTORNEY GENERAL pointed out the propriety of giving all the protection imaginable to the married state; but from the impression his mind had received from this bill, he was hostile to it; and though he would not object to entertain it, from courtesy to the other House of Parliament, yet in the end it should have his full and decided negative.

Mr. WINDHAM gave his assent to the first part of the bill, which made the committing of adultery a misdemeanour; but the other part, which went to prevent the parties from intermarrying, did not appear to him likely to operate the effect, and doubted much whether it would produce its intended purpose. He would in one respect be led to reject, and in another to retain a part; but on the main point would reserve himself. He was at a loss to know why any gentleman should think of rejecting the bill on a first view. Feeling as he did on this bill, he would urge these proceedings on, not through courtesy to the other House, but through courtesy to the subject; from a respect due to public morals, and from a sense every man should have of checking the growth of adultery. It was to protect that state which is the institution of the foundation of society, as described by our first poet. He did not understand how his honourable friend (Mr. Jolliffe) could reject the bill; if he thought something should be done, the bill should go to a Committee. Should the House reject it, the rejection would go to this—if we may not do something by penal statute, we shall do nothing at all.

Mr. MARTIN, from respect to the House of Lords, wished just to entertain and discuss the bill; but the impression of his mind was against it.

Mr. WILBERFORCE supported the bill as absolutely necessary to check so great and growing an evil by legislative interference.

Sir FRANCIS BURDETT JONES did not believe the bill calculated to obtain the object it aimed at; for it seemed to him calculated rather to prevent marriage than adultery.

Mr. HOBHOUSE said, that his sentiments were quite undecided, and therefore he was not prepared to stop the bill *in limine*, and close the door against discussion. Whether the crime of adultery had of late years increased, did not seem certain; for the increased number of divorces was ascribed by many gentlemen to other causes. Neither was there any concurrence of opinion as to the remedy among those who deemed some new laws to be necessary. Some thought that adultery ought to be made a misdemeanor, but disapproved of the clause prohibiting the intermarriage of the guilty parties; others maintained the reverse. Some contended that the proposed measure would effectually answer the desired purpose; others, that it would aggravate the evil it was intended to remove. When he saw gentlemen of great talents differ so materially on a subject of such great importance, he could not but own that he wished for more information, and for that reason should vote that the bill be read a second time.

Mr. TIERNEY said, he should give the same vote as his honourable friend, and for the same reason.

The House divided—for the motion, 152,—against it, 38. Majority 114.

The bill was then ordered to be printed, and read a second time on Friday next.

Mr. Chancellor PITT moved the order of the day, which was for the House to resolve itself into a Committee of the whole House, on the bill for the better ascertaining and collecting the duties granted by several acts passed in the last sessions of Parliament, relating to the duties on Income, and to explain and amend the said act.

The House went into a Committee accordingly.

The first two clauses being read and agreed to;

Mr. W. SMITH wished to know the object of the third clause, in requiring that persons should distinguish in their returns, how much of their income arises from trade, and how much from other sources.

Mr. Chancellor PITT said, it must be very satisfactory to have the proportion of the public burthen which fell on the commercial interest clearly ascertained.

Mr. W. SMITH, in reply, thought the distinction would produce nothing but trouble and disclosure; and that the cause assigned amounted only to curiosity, which he did not conceive sufficient.

Mr. Chancellor PITT said, the income from commerce would not be made public ; and now that a jealousy was raised against the commercial interest, as not contributing in a fair proportion with the landed, it became an obvious policy to ascertain how much was borne by each.

Mr. PEELE feared that the distinction would afford an opening for evasion ; he also suggested that landed property necessarily employed in carrying on trade should be considered as constituting a part of mercantile income.

Mr. Chancellor PITT thought it sufficiently clear that it was so intended.

The clause was then read and agreed to.

Mr. W. SMITH said, the Chancellor of the Exchequer had but one object in view, which was to make the tax productive. Now he had two objects ; the one, that the tax, if it must continue, should be productive ; the other, that it must be just, and not inconsistent with the liberty of the subject.—With regard to himself, he paid last year more than he was bound to do ; and rather than subject himself to such rigorous exactions as he had heard were once intended, he would have paid still more, although he believed he knew of some who had paid less than they ought. So much for the act of last year. With regard to this clause, it was drawn with complete, absolute, and entire ignorance of all commercial concerns whatever. It was perfectly nugatory in one sense ; it would create endless disputes in another. It called not only on a man to give in an account of his own income, but also of the income of his partner, which was absolutely impossible in many cases. He was himself concerned in two trades ; in the one he had four partners—in the other he had two ; and he knew no more what the income was of either of his partners than he did of that of any member of that House, nor did any of his partners know any thing of his income. He knew not whether they gave it in on an average of three years, or on the produce of the last year. He had no means of knowing any thing upon that subject, and he should not expect a very civil answer if he were so impertinent as to ask them questions concerning that matter. If this clause was expected to be enforced without a penalty, it would be perfectly nugatory ; if a penalty was to attach on not obeying of it, it was quite unjust.—Nugatory in the first place, unjust in the second, and absolutely impossible to be complied with in the third, was this clause, and therefore it was impossible that the Committee should agree to it.

Mr. Chancellor PITT said the honourable gentleman was pleased to apply some studiously hard words against this clause, and to say it

originated in entire ignorance of the subject to which it referred. Now it did so happen that this subject had been considered by persons who understood it as well as the honourable gentleman. He apprehended it to call for nothing more than that of giving in the names of his partners, and calling on each of them to make a return for himself, and that they should all go before the same Commissioners, and also to describe their residence. —It had no such meaning as that of calling on one partner to answer for the accuracy of the return of another; there was no such intention, nor did the grammar of the sentence warrant any such construction.

Mr. W. SMITH insisted that his construction of the clause was right, and in support of his assertion read the clause.

Mr. ELLISON expressed a great desire that the bill should be as clearly worded as possible, and complained that some modern acts of parliament had puzzled the Judges in their endeavours to make out their sense. He was inclined to think, and so he said were some others with whom he had conversed upon the subject, that the clause would bear the construction of the honourable member who opposed it.

Mr. HOBHOUSE said, that if no person were compelled to state more than he knew, there would be no objection to the clause. A partner might certainly know whether the firm to which he belonged, delivered a joint, or separate return; but this was not all which was required of him. He was called upon to state, among other things, “when and before what Commissioners all and each of his partners were, or was assessed.” With those circumstances he might not be acquainted, and his partners might refuse to satisfy his inquiries.

The clause was then amended by substituting *him or her* instead of *them*, or, in other words, by permitting each partner to give in a separate statement individually for himself.—This was agreed to, and the clause adopted.

Mr. PEELE objected to the 5th clause in its present form, requiring that the returns, whether joint or separate, should be made where the principal partner resides, in cases of trade carried on in divers places. The clause, he thought, so worded was imperfect; for the principal partner might be a sleeping partner, residing at a distance from the seat of manufacture; and consequently the return would be made to a set of Commissioners who might know nothing of the concern. He therefore moved an amendment to the effect that the return should be made to the Commissioners of the place where the principal part of the trade was carried on.

This produced a conversation between Mr. Smith, Mr. Peele, Mr. Jeffries, Mr. Burdon, Mr. Elliston, and Mr. Pitt, with respect to the place. After which

Mr. Chancellor PITT proposed, as the most complete amendment to answer the ideas of all parties, that instead of "divers," be inserted "or any of the places where such trade is carried on, which shall be chosen by the principal partners, or if the shares are equal, &c."

Sir F. BARING did not see how the Commissioners, in case the statement returned was disapproved, could be satisfied without the production of the books; and how these could be obtained from the different places of trade, for the purpose of laying them before the Commissioners of the place where the return was made.

The ATTORNEY GENERAL approved Mr. Pitt's amendment, which was put and carried.

Mr. W. SMITH objected to the 6th clause, by which the receiver was not sworn to secrecy, while the Commissioners who appointed him were.

Mr. Chancellor PITT said, the receiver would not know the amount of the returns to the Commercial Commissioners, as they would be done by letters instead of real signatures.

Mr. WILLIAM SMITH put a case of only two men, of very unequal situations in life, making returns in a given district. Though one return might be signed A, and the other B, yet the receiver must know, from the inequality of the returns, whom particularly those letters severally meant. It was at length agreed that the receiver should be sworn to secrecy also.

The House came now to the 7th clause, which provides the amount below which no person shall be entitled to appeal to the Commercial Commissioners in London.

Mr. Chancellor PITT said, it was proposed that no persons should come before the Commercial Commissioners in London, unless their profits were 200*l.* per annum, so that they paid 20*l.* These Commissioners were to be selected from among the most eminent persons in trade, and for that reason had not much fitness to judge of the concerns of inferior tradesmen. But he was anxious to have it understood that those who were below this sum, would have as much attention bestowed on their case as those of a higher class in opulence. It had been supposed that those who were in trade, and whose income was below this sum, would not have that income examined in the same manner, nor have the same security for just assessment or secrecy as those above them; the truth was, they would have the same security and the same secrecy as those of a higher

class, only their returns would be made to persons more able than great merchants were to understand their concerns.

Mr. W. SMITH said, he did not believe that the objects the Chancellor of the Exchequer had in view by this clause would be answered by it; he apprehended it would produce much inconvenience.—As the right honourable gentlemen stated this clause, it was plain enough; but it might happen that the first merchant in the city of London might go this year before the Commercial Commissioners, and next year before the Common Commissioners: the trade of a merchant did not always yield a profit; it was sometimes attended with a loss, and then the merchant would not pay 20*l.* a year.—Another case might happen: a person who is not now to be entitled to go before the Commercial Commissioners, because he does not this year pay 20*l.* may next year have great profits from his trade, and pay more than that sum, and therefore he ought to come under the distinction of the higher class; but here was no provision of that kind.

Mr. Chancellor PITT said, the line must be drawn somewhere, and the question was, whether the amount of the property was the best criterion on the line of trade in which a person was employed? Now, with all that he had heard upon the subject, and all that he had been able to think upon the subject, he thought the amount of the income was the best criterion: it was not a very easy thing to make a clear distinction between a wholesale and a retail dealer in trade; that was, he meant to say, it was not easy to make an exact legal distinction between them: but the case put by the honourable gentleman was extremely improbable. The extreme fluctuation to which the honourable gentleman referred would most likely make persons subject to it, make their return, not upon the income of a single year, but on an average of several years; and in that view of the subject there was no probability that a merchant's income would be reduced below the 20*l.* a year, so as to bring him below his former scale; but after all, if any such case occurred, there would be security for such person to have an equitable assessment.

Mr. W. SMITH said, the right honourable gentleman seemed to consider these cases of probable reduction of the scale from loss in trade much too lightly. There was a class of persons to whom this observation applied—he meant the brewers, who had sustained very large and heavy losses, from the late extravagantly high price of malt and hops.

Mr. HOBHOUSE also disapproved of the clause. What was the avowed object of sending persons in trade, whose gains were not

above a certain sum, to the Commissioners for the general purposes of the act? It had been said on a former evening, not that the Commercial Commissioners of London and its vicinity, having too much employment in that capacity, wanted to be relieved from a part of the trouble; but that they were not good judges of the affairs of men concerned in small trades. Thus persons unaccustomed to trade, for the Common Commissioners were usually of that description, were deemed more capable of assessing inferior merchants or traders than the Commercial Commissioners, who were generally some of the most opulent men in the mercantile line. To-day a Commercial Commissioner was well qualified to estimate a neighbouring tradesman's income; but to-morrow, if that tradesman's profits sunk below a given amount, a gentleman totally ignorant of all trade was better fitted for the work. This was very strange; he thought also, that the changing of the tribunal before which a trader appeared led to a disclosure of his circumstances which might prove ruinous to his credit; neither could he see why the clause, suppose it to be a proper one, should not be extended to Bristol, Liverpool, and other great commercial towns, as well as to the city of London.

Mr. Chancellor PITT observed, that, from the comparative smallness of those places, the local Commissioners would be able to form a pretty adequate idea of the circumstances of every trader down to the lowest shopkeeper.

On the suggestion of Sir FRANCIS BARING, the following words were added as an amendment to the clause—"and shall not have amounted to 20l. the preceding year."—The clause was then passed.

The Committee now proceeded through the 8th, 9th, 10th, 11th, and 12th clauses, and adopted some verbal amendments.

Mr. HOBHOUSE called the attention of the Committee to the 13th clause, which directs "the Commercial Commissioners and Commissioners for general purposes, to transmit to the Board of Taxes the amount of income assessed by them, as arising from trade or manufacture; and the amount of income assessed by them as arising from any other source or sources, distinguishing the amount arising in each parish or place." He said that, to ascertain the amount of the income tax paid by the whole commercial property of the kingdom, appeared to be the leading object of all the regulations in the bill, as far as they related to trade or manufacture. But he hoped that the right honourable gentleman would not insist upon more than was necessary for that purpose. Suppose a manufacturer, a clothier for instance, whose works were built on the banks of some

river, to be the only tradesman in a parish ; (the examples were very numerous ;) if the amount of income arising in each parish or place, distinguishing commercial from other income, be sent to the Board of Taxes, together with alphabetical lists containing the names, description, and place of residence of every person assessed through that Board, which is under no obligation of secrecy, this manufacturer's affairs might be soon known to all the world. Mr. Hobhouse was going to move that the words "distinguishing the amount arising in each parish or place" should be left out ; when

Mr. Chancellor PITT said, he had intended to make a motion of the said kind.—Agreed to.

The two next clauses were agreed to with a few verbal alterations.

Mr. Chancellor PITT then called the attention of the Committee to the next clause (the 16th), stating the manner in which the income of landlord and tenant was to be taken. The clause was in lieu of the schedule now repealed : the articles which it embraced were, however, the same, but the proportion would vary.—Gentlemen, he said, would recollect, that last year it was agreed that the profit of the landlord and tenant was not to be ascertained by the amount of rent only, but of the aggregate of rent, poor's rates, and tithes. Two deductions were then allowed, by taking away one-fourth, and ascertaining the profit at a half of the remaining 3-4ths, or thereabouts. This mode was found too favourable to farmers, many of whom had thereby been enabled to lower themselves in the scale of income below what they should have fairly paid, and many to reduce themselves below 60*l.* so as not to pay any thing at all. The proportion he should now state was, that if such aggregate amount be under 300*l.* a year, then the income shall be taken at 3-5ths of such amount, and if upwards, then at 3-4ths. As, however, this was a general proportion, which might involve a particular case of hardship, a power would be given to enter into a view of the situation of the farmer ; and, therefore, he should make a proviso to enable the farmer, in case he should feel himself aggrieved, to make out a case for redress.

Mr. HARRISON entered into a calculation to shew that the proportion would be much more than 10 per cent. on the income of the farmer : from one view of it, he insisted he would pay 23*l.* on 120*l.* and, from another, at the rate of 9*s.* 4*d.* in the pound. The consequence, therefore, would be, that he would throw up his farm, and the tax would fall on the landlord. It would, therefore, amount to a new tax upon the latter. He also instanced the great hardship which it would impose on a man taking a long lease which

did not yield him any immediate profit, and recommended that the actual gain should be the measure of the tax.

Mr. Chancellor PITT contended that the income of the farmer would only be taxed in the same proportion as that of other descriptions of the community; the only question therefore was, whether he should pay a tenth of his income, or less? He could not see why this respectable class of men required more indulgence than any other. Where the tithes and other parochial rates were low, then the land was high in proportion, and *vice versa*; and where the poor's rates were increased, then the farmer raised the price of his articles in proportion; the one therefore should be set against the other. Should a case occur, where the farmer should be disappointed in his speculations, then there was a proviso in the bill which gave him a power to prove the real amount of his income, and to be assessed on an average of preceding years.

Mr. BASTARD said, that several taxes which were actually paid by land owners and farmers, were not included in the number for which an abatement was to be granted. Parishes were often heavily assessed for the rebuilding of churches and bridges, which were destroyed by hurricanes and inundations. They were very heavily charged for the making and repairing of highways; and the calling out of the militia had nearly doubled the amount of the poor's rates, which were a direct contribution to Government. The land-holder, therefore, was assessed by this act for income which he never received. The landed interest, and the farmers particularly, were cruelly oppressed. He would take the instance of a farmer who rented twenty acres of land, at 15l. per acre, which was no uncommon price in the neighbourhood of London, and other great towns. For this farm he would pay 300l. a year of rent, and would be supposed to make a clear income of 250l. But to pay this tax alone, and pay his landlord, he must make by these twenty acres 550l. a year, which was altogether impossible.

Mr. D. RYDER said, that some criterion was necessary, and that he was confident a better could not be discovered.

Mr. BASTARD said, that many farmers wished to give up their leases, that they might be freed from the intolerable burthen of poor's rates. Yet upon these poor's rates they were to pay an additional tax.

Mr. VANSITTART said, that it was of small consequence to the farmers whether the poor's rates were high or low, as they paid rent to their landlords in proportion.

Mr. BUXTON proposed, that the poor's rates should be taken at an average of three years past; as the farmers would be very un-

fairly dealt with, were they assessed in proportion to the poor's rates for the last year.

Mr. W. SMITH said, that he observed the value of tithes paid in kind was to be taken. He would be glad to know how that value was to be ascertained?

Mr. Chancellor PITT said, that the same method was adopted last year, and no inconvenience had arisen from it. Nothing surely could be easier than to ascertain the value of corn, hay, hops, or any other commodity.

Mr. ELLISON said, the tax, as now proposed, was to be paid both by the landholder and the farmer on the same income. The last year he thought bad for farmers.

Mr. HARRISON said, it was a new land-tax, and would cause many persons to give up their farms.

Mr. HOBHOUSE said, that there were two questions for the consideration of the Committee; first, whether the mode of estimating the income of a tenant at rack rent, which was certainly the same as that adopted last year, were the best; and secondly, whether his proportion ought to be increased. Upon the former point he should not enter, because it had received an ample discussion; but upon the latter he could not avoid saying a few words. Had any reason been alleged for laying heavier burdens upon the farmers? They had not evaded the tax, but had conscientiously contributed all which had been demanded of them. The trading part of the community had been charged by the right honourable gentleman with not paying their fair proportion, as the law required; and hence he had brought in a bill the other day, which he was soon obliged to withdraw, containing the severest restrictions upon the merchants, giving a power to the Commissioners to send for their clerks and books, and inviting informers by a promise of reward. Finding himself defeated in this plan by the indignation which it raised in the country, the right honourable gentleman wished to make the farmers pay for the defalcations of the merchants. Their rate of assessment was to be raised—high constables, constables, overseers, churchwardens, &c. were to be summoned to give evidence against them; but the clerks of merchants were no longer subject to an examination. That tax must be a bad tax in itself, which must either erect an inquisitorial power not to be endured in a free country, or operate unequally and unjustly.

Mr. Chancellor PITT said, that it was not to be inferred from this clause that the farmers were accused of paying unfairly what was demanded of them; but that the assessment upon them made

by the former bill was not a just proportion of what they ought to pay.

Mr. BIDDULPH said, that the ignorance of farmers, which incapacitated them for keeping accounts, was made the ground of fixing a rate for them on which they are to pay the tax ; but it ought to be remembered, that the same ignorance, if it really exists, also incapacitates them for making appeals, and for drawing out schedules, without the assistance of an attorney, which would render it necessary for him to lay open the state of all his affairs.

Mr. H. BROWNE said, that at all events there could be no oppression, as the proposed criterion was only *prima facie* evidence, and by making an appeal every one would have justice done to him.

Mr. JONES reprobated the clause as unjust and oppressive. The farmers, he believed, had paid their just proportion ; but that the mercantile interest had not was the general opinion of man, woman, and child ; nay, he would ask whether that fact was not stated in the preamble of the bill which had been withdrawn ; and why, if it was so, was some provision not introduced into this bill to remedy the evil ?

Mr. Chancellor PITT said, there was nothing in the preamble of the former bill which charged commercial men with having evaded the tax ; it only stated, that it was found expedient to alter the method of collecting the tax upon them. He still approved of the regulations for this purpose proposed by that bill ; but the objections to them were found stronger than he had at first expected, and therefore it was withdrawn. He was sometimes charged by gentlemen with being arrogant and presumptuous, and sometimes he was blamed for weakly giving up his own opinion. He was convinced, that a man's own judgment must in all such cases guide his conduct. Perhaps there never was any Minister who paid less attention to popular clamour than he had done, yet he found it his duty at all times to attend to the opinions of the country when decidedly expressed. The former bill, however, contained provisions relating to the method of collecting the tax from the landed as well as the commercial interest, and therefore the charge against that bill was in a great measure unfounded.

Mr. JONES, without charging the right honourable gentleman with any arrogance, still thought his own observations concerning the commercial interest founded in justice, and entitled to some consideration. Arrogance, perhaps, might be more properly charged to himself, attempting, as he did, to dispute a point with the right honourable gentleman, who could, on all occasions, produce nineteen words to the dozen. He would still, however, repeat

that this clause respecting the farmers was brought in to make up the defalcations of the commercial interest. The landed interest was a willing horse, but ought not to be pushed too far.

Mr. VANSITTART said, that the farmer would be very much injured by estimating the value of the tithes he paid, as the amount would be greatest in the worst years, when he was least able to contribute. He would therefore move as an amendment, that the average should be taken for three years before the 29th of September 1799. This amendment was agreed to. He then moved, that the words "and the value of the tithes" be omitted.

The MASTER OF THE ROLLS said, that it was in consequence of the express desire of the farmers themselves, that a criterion had been fixed upon by which they should pay the tax.

The House then divided on Mr. Vansittart's motion, that the sentence relative to tithes should be left out of the clause, when there were—For it, 23; Against it, 88. Majority, 65.

The words objected to were ordered therefore to stand part of the clause, and the clause, as amended, was adopted.

Mr. HOBHOUSE moved an amendment upon the clause, which enabled the Commissioners, if they assessed a person to a greater amount than the sum delivered in, to charge him double the increase. He thought it improper that the Commissioners should be bound by no other rules than their own discretion. They might, if they pleased, subject a man, under this clause, to a penalty for an omission in his statement which was the effect not of fraud but of error. He would not say that Commissioners would be guilty of such gross misconduct; but such large powers ought never to be entrusted. He would therefore move, that, after the words "to charge such person or persons," be inserted "upon proof that the omission in his, her, or their statement or statements proceeded from any fraud, cover, art or contrivance whatsoever."

Mr. Chancellor PITT and Dr. LAURENCE objected to the amendment, because it was scarcely possible for the Commissioners to prove fraud.

Mr. HOBHOUSE withdrew his amendment; but said, that he should perhaps make an alteration in it, and bring it forward upon the report.

To the clause empowering Commissioners, if dissatisfied with any schedule, to prescribe a new form, until they had obtained every information which they desired,

Mr. W. SMITH and Mr. HOBHOUSE warmly objected, as being no less injurious than the inquisitorial proceedings under the bill which had been withdrawn.

Upon a division, the clause was carried by a considerable majority.

The other clauses were then gone through, and the House being resumed, the bill was ordered to be reported to-morrow.

HOUSE OF LORDS.

Tuesday, May 27.

Mr. SYLVESTER DOUGLAS, attended by several Members, brought up a message, informing their Lordships that the Commons had concurred in their address to His Majesty communicated yesterday; which being received, their Lordships ordered, on the motion of Lord Auckland, that the Lords with white staves be deputed to attend His Majesty, to learn when he would be graciously pleased to receive the joint address of both Houses of Parliament.

After some routine business had been disposed of, Mr. DOUGLAS, &c. brought up a second communication from the Commons, respecting certain resolutions agreed upon by that House, relative to other Countervailing duties proper to be imposed on particular articles, &c. to which they desired the concurrence of their Lordships, as also to an accompanying address to His Majesty upon the occasion.

The resolution and address were forthwith taken into consideration and agreed to by their Lordships: on which a message was sent to the Commons acquainting them with the same, and the Lords with white staves ordered to attend His Majesty respecting the receiving the address.

HOUSE OF COMMONS.

Tuesday, May 27.

Mr. DOUGLAS reported from the Committee of the whole House, "to whom it was referred to consider further of His Majesty's most gracious message of the 2d day of April last, communicating to this House the resolutions of the Lords and Commons of Ireland respecting a Union between the kingdoms of Great Britain and Ireland, with their address to His Majesty thereupon," the resolution which the Committee had directed him to report to the House; which he read in his place, and afterwards delivered in at the table, where the same was read and agreed to by the House, and is as follows:

Resolved, That the following duties be the duties upon the importation into Ireland, of the articles of the growth, produce, or manufacture of Great Britain, which are enumerated in Schedule No. 1. B, of the sixth Article of Union, in order to countervail the internal duties, and duties upon the raw material, existing upon the like articles, of the growth, produce, or manufacture of Ireland, viz.

<i>Beer.</i> For and upon every barrel, containing 32 gallons, imported from Great Britain.....	£.	0	4	6
<i>Glass Bottles.</i> For and upon each reputed quart.....	0	0	0	$\frac{1}{4}$
<i>Leather unmanufactured.</i> For and upon each pound in every hide or skin, or piece of any such hide or skin, of what kind or denomination soever, other than such as are hereinafter mentioned and described.....	0	0	1	
For and upon each hide of horses, mares, or geldings...	0	1	0	
For and upon all skins called veal skins, and all skins of hogs, for every dozen skins thereof, and after the same rate for any greater or less quantity.....	0	5	0	
For and upon all skins for shoes, and other like purposes, and all seal skins, for every dozen thereof, and after the same rate for any greater or less quantity.....	0	2	6	
For and upon all skins for bookbinders use, for every dozen thereof, and after the same rate for any greater or less quantity.....	0	1	0	
For and upon all goat skins tanned with shumack, or otherwise, to resemble Spanish leather, and all sheep skins tanned for roans, being after the nature of Spanish leather, for every pound weight avoirdupois.....	0	0	1	
For and upon all sheep and lamb skins tanned for gloves and basils, for every pound weight avoirdupois, and so in proportion for any greater or less quantity.....	0	0	0	$\frac{1}{2}$
<i>Leather dressed in oil.</i> For and upon every hide and skin, and piece of such hide and skin, other than such as are hereinafter mentioned or described, for every pound weight avoirdupois.....	0	0	2	
For and upon all deer skins, goat skins, and beaver skins, for every pound weight thereof avoirdupois.....	0	0	3	
For and upon all calf skins, for every pound weight thereof avoirdupois.....	0	0	2	
For and upon all sheep and lamb skins, for every pound avoirdupois.....	0	0	0	$\frac{1}{2}$
<i>Vellum and Parchment.</i> For and upon every dozen skins of vellum.....	0	0	6	
For and upon every dozen skins of parchment.....	0	0	3	
<i>Leather manufactured into goods and wares.</i> For and upon all tanned leather manufactured into goods and wares, whereof leather is the most valuable part, the following duties, viz.				
For and upon every pound weight avoirdupois of tanned leather manufactured, and actually made into goods and				

wares, in Great Britain, of leather only, or of which leather makes the most valuable part. £. 0 0 1

For and upon every pound weight avoirdupois of tawed or dressed leather, manufactured and actually made in Great Britain, of leather only, or of which leather makes the most valuable part. 0 0 1

For and upon every pound weight avoirdupois of all buck and deer skins, and elk skins, dressed in oil, and manufactured into goods and wares in Great Britain, of leather only, or of which leather makes the most valuable part. 0 0 3

For and upon every pound weight avoirdupois of all sheep and lamb skins dressed in oil, and manufactured into goods and wares in Great Britain, of leather only, or of which leather is the most valuable part. 0 0 0 $\frac{1}{2}$

For and upon every pound weight avoirdupois of all other hides and skins not herein-before enumerated or described, dressed in oil, and manufactured into goods and wares in Great Britain, of leather only, or of which leather makes the most valuable part. 0 0 2

Paper. For and upon every pound weight avoirdupois of paper fit and proper for, or that may be used for, or applied to, the uses or purposes of writing, drawing, or printing, or either of them, and all elephant paper, and all cartridge paper 0 0 2 $\frac{1}{2}$

For every pound weight avoirdupois of all coloured paper, and whited brown papers, other than and except elephant and cartridge paper, fit or proper for the uses or purposes of wrapping up goods, and not fit or proper, or capable of being used for or applied to the uses or purposes of writing, drawing, and printing, or either of them, and also except paper hangings. 0 0 1

For every pound weight avoirdupois of brown paper fit and proper for the use or purpose of wrapping up goods, and not fit or proper or capable of being used for, or applied to, the uses or purposes of writing or printing, or either of them. 0 0 0 $\frac{1}{2}$

For and upon every one hundred weight of glazed paper for clothiers and hot-pressers, and so in proportion for any greater and less quantity. 0 5 0

For and upon every one hundred weight of pasteboard, millboard, and scaleboard, and so in proportion for any greater or less quantity. 0 10 0

For and upon every pound weight of every sort or kind of paper not herein-before particularly enumerated or described, other than and except papers commonly called and known by the names of sheathing paper and button paper, or button board, and paper hangings. 0 0 2 $\frac{1}{2}$

Stained Paper. For and upon every square yard of printed, painted, or stained paper for hangings or other uses, and so in proportion for any greater or less quantity. 0 0 1

For and upon every pound weight avoirdupois of books bound or unbound, and of maps or prints, which shall be imported into Ireland from Great Britain. 0 0 2

Cards. For and upon every pack of printed, painted, or playing cards made or manufactured in Great Britain.. £. 0 1 5
And a farther duty of 2½d. per pound weight.

Dice. For and upon every pair of dice made or manufactured in Great Britain..... 0 10 0

Wrought Plate. For and upon every ounce troy weight of gold or silver plate, which shall be wrought, made, or manufactured in Great Britain, and imported into Ireland.... 0 0 6

Silk Manufacture. For and upon all silks, being of the manufacture of Great Britain, and imported directly from thence, the following duties, viz.

For and upon all ribbands and stuffs of silk only, for every pound weight thereof, containing 16 ounces..... 0 2 1

For and upon all silk and ribbands of silk mixed with gold or silver, for every pound weight thereof, containing 16 ounces..... 0 2 9

For and upon all silk stockings, silk gloves, silk fringe, silk laces, stitching and sewing silk, for every pound weight thereof, containing 16 ounces..... 0 1 3

For and upon all manufactures of silk not otherwise enumerated or described, for every pound weight thereof, containing 16 ounces..... 0 1 8

For and upon all stuffs of silk and grogram yarn, the pound weight, containing 16 ounces..... 0 0 6

For and upon all stuffs of silk mixed with incl or cotton, the pound weight, containing 16 ounces..... 0 0 9

For and upon all stuffs of silk and worsted mixed, the pound weight, containing 16 ounces..... 0 0 4

For and upon all stuffs of silk mixed with any other material, the pound weight, containing 16 ounces..... 0 0 6½

Spirits. For and upon every gallon of spirits, being of the manufacture of Great Britain, and imported from thence, a duty of..... 0 3 7

Sugar, refined, of the manufacture of Great Britain, and imported directly from thence, the following duties, viz.

For and upon all sugar called bastards, white or ground, the hundred weight, containing 112 pounds..... 0 19 8

For and upon all sugar called lumps, the hundred weight, containing 112 pounds..... 1 16 10½

For and upon all sugar called single loaf sugar, the hundred weight, containing 112 pounds..... 1 19 4

For and upon all sugar called powdered loaf and double loaf, the hundred weight, containing 112 pounds..... 2 2 4

For and upon all sugar called sugar candy, brown, the hundred weight, containing 112 pounds..... 1 16 10

For and upon all sugar called sugar candy, white, the hundred weight, containing 112 pounds..... 2 2 4

For and upon all sugar refined, of any other sort, the hundred weight, containing 112 pounds..... 2 2 4

Sweets. For and upon every barrel, containing 32 gallons wine measure, of British sweets, or other British liquor made by infusion, fermentation, or otherwise, from fruit or

sugar, or from fruit and sugar mixed with any other material or ingredients whatsoever, commonly called sweets, or called or distinguished by the name of made wines. £. 0 10 0

For and upon every gallon of mead or metheglin. 0 0 4

For and upon every barrel, containing 32 gallons, of vinegar. 0 3 0

Tobacco and Snuff. For every pound weight avoirdupois of unmanufactured tobacco of the growth or produce of Great Britain, over and above any duty of customs now payable. . . . 0 0 5

For and upon every pound weight of British manufactured short cut tobacco, and tobacco manufactured into what is commonly called and known by the name of Spanish. 0 1 0 $\frac{7}{8}$

For and upon every pound weight of British manufactured shag tobacco cut. 0 0 11

For and upon every pound weight of British manufactured roll tobacco. 0 1 0 $\frac{7}{8}$

For and upon every pound weight of British manufactured carrot tobacco. 0 0 11

For and upon every pound weight of every other sort of British manufactured tobacco not herein-before enumerated or described. 0 1 0 $\frac{7}{8}$

For and upon every pound weight avoirdupois of British manufactured rappee snuff. 0 0 10 $\frac{1}{4}$

For and upon every pound weight of British manufactured snuff called Scotch snuff. 0 1 4

For and upon every pound weight of British manufactured snuff called crown Scotch snuff. 0 0 9 $\frac{1}{2}$

For and upon every pound weight of British manufactured stalk flour. 0 1 3

For and upon every pound weight of every sort or kind of British manufactured snuff, or snuff work, not herein-before enumerated or described. 0 1 4

Resolved, That an address be presented to His Majesty, humbly begging leave to lay before His Majesty a statement of the Countervailing duties which we have agreed upon as necessary to be imposed on articles, the growth, produce, or manufacture of Great Britain, imported into Ireland, which we humbly request His Majesty will communicate to the two Houses of Parliament of Ireland.

Ordered, That a Committee be appointed to draw up the said address.

And a Committee was appointed accordingly; who withdrew immediately into the Speaker's chamber.

Ordered, That the said resolution respecting the Countervailing duties, together with the several papers which were yesterday presented to the House by the Chancellor of the Exchequer by His Majesty's command, and also His Majesty's most gracious message of the 2d day of April last, be referred to the said Committee.

The order of the day for the House to resolve itself into a Committee of the whole House upon the bill for more effectually charging public accountants with the payment of interest being now read,

Ordered, That it be an instruction to the said Committee, that they have power to make provision in the said bill for allowing interest to public accountants upon monies ascertained or declared to be due to them.

Ordered, That it be an instruction to the said Committee, that they have power to make provision in the said bill for more effectually compelling the payment of balances due from public accountants employed in the collection of the revenue.

Mr. Chancellor PITT now reported from the Committee appointed to draw up an address to be presented to His Majesty, that the Committee had drawn up an address accordingly, which they had directed him to report to the House; and he read the report in his place, and afterwards delivered it in at the table, where the same was read and agreed to by the House.

Ordered, That a message be sent to the Lords, to communicate to their Lordships the said resolution and address, and that their Lordships concurrence be desired thereto; also,

That Mr. Douglas do carry the said message, together with the said resolution and address, to the Lords.

Mr. BRAGGE brought up the report of the Income tax bill, with the amendments, which was read.

Mr. Chancellor PITT brought up the several clauses, which were received and incorporated with the bill.

The MASTER OF THE ROLLS said, that in his opinion the farmers, as the bill now stood, were not charged more than their just proportion; but as they could only be relieved by giving an account of their income, which account they were not very capable of keeping, he would rather be under than over the real value; and therefore he would move, that where tenants at rack rent were charged with 3-5ths of the aggregate amount, they should only pay one-half; and where they were assessed at 3-4ths, the rate should be reduced to 3-5ths.

Mr. Chancellor PITT said, that he admitted much force in the observation, and would readily accede to the amendments.—
Adopted.

Mr. HOBHOUSE said, that he had yesterday objected to the clause empowering Commissioners to charge persons with double their surcharge. He had then proposed an amendment, limiting the exercise of that power to such cases only in which they could prove fraud or evasion. That amendment had not received

the approbation of the Committee, because it would be very difficult for the Commissioners to furnish evidence of the fraud. That observation appeared to him forcible, and therefore he had prepared another amendment, throwing the *onus probandi* upon the party. By the words of the bill, as they now stood, the Commissioners might charge a double proportion for any omission in a statement, whether it arose from inadvertency, mistake, or design. In an extensive and complicated concern, even a careful person might commit an oversight. So great a latitude of powers to the Commissioners he could not approve, and therefore he would move, that, after the words "to charge such person or persons," be inserted "unless he, she, or they should make it appear that the omission in his, her, or their statement or statements did not proceed from any fraud, covin, art or contrivance whatever.

Mr. Chancellor PITT praised the candour of the honourable gentleman, but thought that neglect should be liable to the penalty as well as fraud.

Sir WILLIAM PULTENEY was averse to the large powers given to the Commissioners, but agreed with Mr. Pitt that neglect ought not to be excused. He therefore proposed to add to Mr. Hobhouse's amendment the words, "or any gross or wilful neglect."—Mr. Hobhouse consented.—Agreed to.

Mr. W. BOUVERIE disapproving highly the clause which authorises Commissioners to send for new schedules as often as they choose, and, by prescribing the form of them, compel the party to answer every kind of question they might put to him, proposed an amendment, the object of which was to enable the Commissioners to send back any defective schedule, until it was corrected, and made strictly conformable to the schedules annexed to the former income acts.

Mr. W. SMITH supported this amendment, contending strenuously against such an innovation in the former acts, and such an oppressive scrutiny.

Mr. Chancellor PITT maintained, that a man might be obliged, as the law now stood, to answer any questions, when summoned to a *viva voce* examination by the Commissioners; and therefore to inform them of any particular in writing was no grievance.

The ATTORNEY GENERAL supported the same side, on the same grounds.

Mr. HOBHOUSE said, that against the proposed amendment he had heard but one argument, which was started by the Chancellor of the Exchequer, and echoed by his learned friend the Attorney General, namely, that the party, when examined, might be

made to answer any questions suggested by the Commissioners, and therefore it was no grievance to him to reply in writing under the form of a schedule, rather than attend the Commissioners in person and be compelled to answer interrogatories. To these two honourable gentlemen, since they had made but one remark between them, he would reply at one and the same time. He would tell them that they were incorrect in point of fact, and therefore their inference must fall to the ground. The party delivering in his income could not be compelled to answer every question which was put to him; he might decline to reply, and demand to verify his statement upon oath, at the hazard, if he swore falsely, of suffering the pains of perjury. How then could it be contended, that, if the party were from time to time compelled to give answer to a written list of questions, he was called upon to do no more than what happened to him upon his examination before the Commissioners?

With respect to the amendment proposed, he would give it his support, because it was virtually destructive of the whole clause, which the honourable gentleman had better have moved to erase from the bill. What were the powers already in the hands of the Commissioners? Were they not adequate? If the Commissioners were dissatisfied with a schedule, they might proceed to recover a penalty. Should the party rectify the error before the legal proceeding against him was commenced, he was exempt from the penalty; if it should have been commenced, he could only stay it by a certificate signed by two Commissioners, declaring themselves satisfied that no fraud or evasion was intended. Without such certificate the penalty was enforced. Could it then be said that any fresh powers were wanting? But if the law was not sufficiently strong, would it be right to arm Commissioners with such arbitrary powers? What were the most offensive parts of that bill which had been withdrawn from the House, because it had excited the indignation of the country? That the books of a merchant might be investigated, his clerks examined, and all his private affairs looked into. Would not all those parts be virtually revived? Could not the Commissioners, by the manner of drawing up a new schedule for his signature, make him communicate every particular of his concerns? Could they not compel him to state what he gained as a merchant, what as underwriter, what as broker, what by shipping, what by retail trade, and what by his speculations. Could they not draw from him the nature and amount of his debts, and the very names of his creditors. Mr. Hobhouse concluded with saying, that he could never consent to furnish the Commissioners with powers which would in fact revive that bill which had so justly provoked the re-

sentment of the nation, and which the right honourable gentleman had the prudence to withdraw from the House.

Mr. BOUVERIE's amendment was negatived without a division; after which the Chancellor of the Exchequer proposed that the bill, together with the amendments, should be read a third time to-morrow, if ingrossed by that time.

Mr. HOBHOUSE expressed a wish that the bill, in consequence of the numerous blanks which had been filled up, the many amendments which had been made, and the variety of clauses which had been introduced, should be printed, and that some little time should intervene between its printing and third reading.

Mr. Chancellor PITT said, that it was much to be wished the bill should pass before the holidays, and did not think that it was necessary to print it.

Mr. W. SMITH earnestly pressed the reprinting of the bill, from the considerable alterations it underwent, and proposed Friday.

Mr. Chancellor PITT said, that this clause which had given rise to a difference of opinion was in the bill from the beginning, and therefore he did not see the necessity of its being now reprinted.

Mr. W. SMITH said, he took it for granted that the bill would be printed.

Mr. Chancellor PITT answered, he should have no objection, on condition that if printed and ready to-morrow it should be read a third time; if not, he would consent to defer it until Friday.

Mr. HOBHOUSE said, that if the bill could be printed to-morrow, it could not be ready for delivery to the members until just before the third reading was proposed. How would it be possible, he asked, immediately to enter upon the discussion of the new clauses, which he owned he had not attended to, presuming, like his honourable friend (Mr. W. Smith), that the printing of them was matter of course?

Mr. Chancellor PITT replied, that he was sure the honourable gentleman could make himself master of the new clauses in five minutes.

Mr. H. BROWNE admitted that there would be a great convenience in reviewing the bill, though it was important that it should be forwarded with due dispatch.

The motion was then withdrawn on the third reading for to-morrow, and fixed for Friday next, and the bill was ordered to be reprinted.

Mr. DOUGLAS reported that he had been to the Lords with the message.

The report of the resolution from the Committee of Supply on

the vote of 566,688l. 10s. for defraying the expences of the 12,000 troops engaged for the service of this country from the Elector Palatine of Bavaria, to the 1st of April 1801, was brought up, read, and agreed to.

The Master in Chancery brought a message from the Lords, stating, that their Lordships had agreed to the resolutions on the Countervailing Duties. And also, that the blank in the Address to His Majesty had been filled up with the words, "Lords Spiritual and Temporal." The address was as follows:

"Most Gracious Sovereign,

"WE your Majesty's most dutiful and loyal subjects, the Lords Spiritual and Temporal, and Commons, in Parliament assembled, beg leave to lay before Your Majesty a statement of the Countervailing Duties which we have agreed upon as necessary to be imposed on articles the growth, produce, or manufacture of Great Britain imported into Ireland; which we humbly request Your Majesty will communicate to the two Houses of Parliament of Ireland, for their concurrence."

HOUSE OF COMMONS.

Wednesday, May 28.

New writs were ordered to be issued for the election of a Member to serve for the city of Edinburgh, in the room of the Right Hon. Henry Dundas, who since his election has accepted the office of Lord Privy Seal in Scotland; for the election of a Member to serve for the borough of the Port of Rye, in the room of Robert Dundas, Esq. who since his election has accepted the office of Keeper of the Signet in Scotland.

The Lottery Bill was read a third time; when

Mr. HOBHOUSE rose and said, that he was desirous of calling the attention of the House to the 37th clause of the bill, commonly called the Vagrant Clause; and he intended to move an amendment to it. He should have taken this step in an earlier stage of the business; but until a few days ago he was not aware of the grievance which he now wished to redress. By the clause before mentioned the Magistrates, upon the oath of any informer, that illegal insurances were carried on in any house or place, were empowered to issue a special warrant, and to break open any such house or place, by day or by night, and seize and apprehend all such offenders, and commit them to prison as rogues and vagabonds,

That offences of that nature should be punished, and that offenders, being unlicensed, and having no fixed place of residence, should be liable to punishment as rogues and vagabonds, he was not inclined to dispute : but that a licensed lottery-office keeper, however respectable his character, whose place of abode was well known, and who was ready to answer in a Court of Justice for any charge laid against him, should be liable to have the doors of his house burst open by night, and his property, which from the very nature of his trade must be considerable, exposed to great risk, was a hardship of which there was great reason to complain. Such a power in the Magistrates was as unconstitutional and oppressive, as it was unnecessary. Every person, before he could obtain a license, was obliged to send his name and place of abode, and likewise the names and residences of two respectable and responsible house-keepers as his securities to the Stamp Office. The Inspector of Securities made his inquiries into their characters, and reported to the Office. If the Commissioners approved of the characters and responsibility of the three persons, a license was granted, and a bond of 1000*l.* entered into for the due performance of all the rules and regulations laid down in the various acts of Parliament for regulating lottery-office keepers. Independent of this bond, which by misconduct might be forfeited, every person offending against the 27th Geo. III. was subject to a penalty of 50*l.* for every offence, lost his license, and was liable to be *capias'd* for 500*l.* and held to bail. Surely such precautions and such penalties were sufficiently strong for guarding against any illicit transactions on the part of the licensed lottery-office keepers. The House, perhaps, was not aware of the mischievous consequences resulting from that clause. It was a well known fact, that informers, for the sake of extorting money, were accustomed to threaten some of the most respectable office-keepers with making oath that they were guilty of practices contrary to law ; and those gentlemen, though conscious of their innocence, chose rather to submit to a robbery of that kind, than suffer their characters to be suspected, and undergo the disgrace of a public examination before a Magistrate. The licensed lottery-office keepers cared not how severe the penalties, if those in existence were deemed insufficient, were made against illegal insurance ; but they hoped that they should no longer be placed on a footing with those who had no license, and who, having no homes, were subject to little controul ; nor be liable to have their houses broke open, in the dead of the night, at the will of every worthless informer. Thus much, he thought, they might reasonably expect ; and therefore he should move as an amendment,

that after the words "it shall be lawful to issue their warrant for breaking open any house or place," these words be inserted, "not duly licensed to sell tickets or shares."

Mr. BRAGGE opposed the amendment, on the grounds, that the clause in its full extent was necessary for preventing frauds; that the enactment of this clause was known by those who take out licenses before they took them out; and that no grievance had ever been complained of in consequence of it by the licensed lottery-office keepers. He allowed, that the amendment was specious at first view, but hoped that this would not induce the House to agree to what he was convinced would be productive of highly pernicious consequences to the public.

Sir WILLIAM PULTENEY supported the amendment. The trade was under great restraints already; and if the office-keepers had not applied to Government, the reason might be, that, knowing how much they were dependent on the Minister, they were afraid of complaining. But was it not enough for the House of Commons to know that those persons are squeezed and tortured under the present clause, to entitle them to the consideration of the House?

The ATTORNEY GENERAL did not think the honourable baronet warranted in what he had said of Government. Had an application been made, he did not doubt but it would have been fully attended to, and any just grounds of complaint removed. The clause was necessary to the due execution of the law; and he would ask, what would be the security against illicit practices if the clause were amended as the honourable Member proposed? The expediency of the clause would be further felt, if in reality the keepers of licensed offices carried on illicit practices.

Mr. JONES assured the House, that the office keepers did apply to Government. He read the title of a paper presented by that body to Mr. Rose; in answer to which, that honourable Member appeared to yield so far to their wishes as to promise that the clause should be re-considered. He hoped it would not, therefore, be preserved in the bill; for in fact it was little short of giving the Magistrates a power to make domiciliary visits.

Mr. BURTON justified the clause. If Government was applied to, if the honourable Member (Mr. Rose) then absent did promise that the clause should be re-considered, it by no means followed that the clause must be abandoned. He did not doubt but the clause was very fully considered, and preserved, because, after such consideration, the necessity and the policy of it were felt and acknowledged. He could state it from his own knowledge, that

Mr. Wickham, when in the magistracy at the west end of the town, had cases brought before him, of keepers of licensed offices being engaged in illicit practices ; so that what was put hypothetically by his honourable and learned friend (the Attorney General) existed in fact.

Mr. MAINWARING, in supporting the clause, observed, that it was not quite just towards the authors of the measure to bring forward such amendments in their absence.

Mr. HOBHOUSE replied, in explanation, that so far from having brought forward his amendment unadvisedly, the gentleman alluded to knew, for two or three days past, that it was his intention to propose it in some stage of the bill ; and the present being the only opportunity of which he saw it possible to avail himself, he did not think it was in any respect inconsistent with his duty, nor with all proper consideration for the Members of Administration, now to submit his amendments to the House. He, however, seeing that his amendment was disapproved by the House, desired to withdraw it ; which being agreed to by the seconder, it was accordingly withdrawn.

The bill was then passed, and ordered to the Lords.

A new writ was ordered to be issued for the election of a Member to serve for the borough of Tiverton, in the county of Devon, in the room of the Honourable Dudley Rider, who since his election had accepted the office of Treasurer of the Navy.

Mr. DOUGLAS reported from the Committee of the whole House, to whom it was referred to consider of so much of an act made in the last session of Parliament, intituled, " An Act for the augmentation of the salaries of the Judges of the Courts in Westminster Hall, and also of the Lords of Session, Lords Commissioners of Justiciary, and Barons of Exchequer in Scotland ; and for enabling His Majesty to grant annuities to persons in certain offices in the said Courts of Westminster Hall, on their resignation of their respective offices," as relates to the salaries of the Lord President of the Court of Session, the Lord Chief Baron, the Lord Justice Clerk, the Lords of Session, Lords Commissioners of Justiciary, and the Barons of the Exchequer in Scotland, the resolutions which the Committee had directed him to report to the House ; which he read in his place, and afterwards delivered it in at the table, where the same were read and agreed to by the House, and are as follow :

" Resolved, That the salaries now payable to the Lord President of the Court of Session, the Lord Justice Clerk, the Lord Chief Baron of the Court of Exchequer, the Lords Commissioners of

Justiciary, and the Ordinary Lords of Session, do cease and determine.

“ Resolved, That His Majesty be enabled to grant, out of the monies that shall arise from any of the duties and revenues payable to His Majesty in that part of Great Britain called Scotland, the several annuities hereinafter mentioned to the Lords of Session, Lords Commissioners of Justiciary, and Barons of the Court of Exchequer in Scotland; that is to say, to the Lord President of the Court of Session for the time being, three thousand pounds; to each of the other Lords of Session, who shall not be Lord Justice Clerk, or a Lord Commissioner of Justiciary for the time being, twelve hundred pounds: to the Lord Justice Clerk for the time being, two thousand four hundred pounds; to each of the other Lords of Session who shall be Lords Commissioners of Justiciary for the time being, one thousand seven hundred pounds: to the Lord Chief Baron of the Court of Exchequer for the time being, three thousand pounds; and to each of the other Barons of the Court of Exchequer for the time being, twelve hundred pounds.

“ Ordered, That a bill be brought in upon the said Resolutions.”

HOUSE OF LORDS.

Friday, May 30.

The royal assent was given, by commission, to the Hackney-coach and the Duke of Richmond's Commutation bills, and to twenty-eight others, which were chiefly of a private or local description. The Lords Commissioners on this occasion were, the Archbishop of Canterbury, the Earl of Leicester, and Lord Eldon (Speaker).

The Earl of LEICESTER formally reported His Majesty's answer to the late addresses of both Houses of Parliament.

HOUSE OF COMMONS.

Friday, May 30.

New writs were ordered for a burgess to serve in Parliament for the borough of Andover, in the room of George Canning, Esq. who since his election had accepted the office of Joint-Paymaster

of His Majesty's Forces; and for the borough of Penryn, in the room of Thomas Wallace, Esq. he having accepted the office of one of the Commissioners of the Board of Controul.

In consequence of a message from the Lords, requesting the immediate attendance of the House to hear His Majesty's commission read, the Speaker, with the Members, went up; and having returned, he reported that the royal assent had been given by commission to the Sugar importation-duty bill, the Hackney-coach rate bill, and to several private bills.

The MASTER OF THE ROLLS reported, that, pursuant to the order of Wednesday last, Mr. Secretary at War, the Lord Hawkebury, Mr. Douglas, and himself, attended His Majesty yesterday at his palace of St. James's, with the Lord Steward of the household, and the Lord Chamberlain of the household, from the Lords, to present the resolutions and addresses agreed upon by both Houses, respecting a Union of Great Britain and Ireland, which His Majesty received very graciously; and that His Majesty was pleased to say, that he would, without delay, communicate the same to his Parliament of Ireland.

Lord GRANVILLE LEVESON GOWER reported from the Committee appointed to consider of giving power to Justices of the Peace for the more effectually repairing county bridges, and to report the same, together with their opinion thereupon, to the House; and who were instructed to consider of the steps proper to be taken previous to the building of bridges that are to be deemed county bridges; and also to consider of empowering Justices of the Peace, in their Quarter Sessions, to alter the situation of county bridges, and to widen and enlarge the same, and the roads at the ends thereof; and who were likewise instructed to consider of empowering Justices to direct actions to be brought, in the name of the clerk of the peace, for damages done to county bridges, county gaols, bridewells, and other county works: that the Committee had considered the matters to them referred, and had come to several resolutions, which they had directed him to report to the House; which he read in his place, and afterwards delivered in at the table, where the same were read, and are as follow:

Resolved, That it is the opinion of this Committee, that the powers given by the different statutes now in force relative to the the repair of county bridges, are in some respects defective.

Resolved, That it is the opinion of this Committee, that the surveyors of county bridges, appointed by Justices of the Peace at their General Quarter Sessions, should have the same power to get, take, and carry away stones, gravel, sand, and other materials,

for the repair of roads over bridges, and the roads for the space of three hundred feet at each of the ends thereof, as are given to the surveyors of highways by virtue of an act passed in the thirteenth year of the reign of his present Majesty, making satisfaction for the damages done thereby, in the same manner as is directed by the said act.

Resolved, That it is the opinion of this Committee, that the Justices of the Peace in General Quarter Sessions should be empowered to alter the situation of county bridges, and to widen and enlarge the same, and the roads for the space of three hundred feet at each of the ends thereof, and to order their surveyor to agree for the recompence to be made for the ground to be taken for those purposes; and if the said surveyor cannot agree with the persons, bodies politic or corporate, who are seised and possessed of such ground, or if they cannot be found, or shall refuse to treat, or take such recompence as shall be offered to them respectively by such surveyor, then the said Justices shall have power to impanel a Jury at the Quarter Sessions to assess the damages to be given and recompence to be made to the owners and others interested in the said grounds, in the manner directed by the said act of the thirteenth year of the reign of his present Majesty in respect to the widening of highways; and if the Jury shall give a verdict for more money than was offered by the said surveyor, the costs of the proceedings to be paid by the said surveyor; but if the Jury shall give a verdict for no more or for less than was offered by the surveyor, then the costs to be paid by the person or body corporate who refused to accept the satisfaction so offered to him; and that on payment or tender of the money so to be awarded, on leaving it in the hands of the clerk of the peace, if the party entitled to receive it cannot be found, or shall refuse to accept it, the interest of such person shall be diverted out of him; saving nevertheless to the owner of the ground all mines and minerals which may be got without breaking the ground, and all timber and wood growing on such ground.

Resolved, That it is the opinion of this Committee, that it is expedient that provision should be made for compelling such surveyors to account for such monies as may be received and disbursed by them, and for inflicting penalties in the case of neglect of duty.

Mr. DEVAYNES obtained leave to present a petition on behalf of certain persons praying to be incorporated into a company for the manufacture of flour, meal, and bread, for the better supply of the metropolis. He stated the prayer of the petition to be, that the capital of the proposed company might be extended to the sum of 120,000l.; the shares to be in number 4800; no one person to

hold more than 40 shares of 25l. each ; to be empowered to borrow money not exceeding 30,000l. and to contract debts not exceeding that amount.

The petition was presented accordingly, and ordered to be referred to the consideration of the Committee to examine and report.

The MASTER OF THE ROLLS moved the second reading of the Adultery Bill.

Sir GEORGE DOUGLAS, in a maiden speech, admitted that great credit was due to the good intentions of the noble Lords who had brought forward this bill, with a view to guard the morals of the people, and the domestic happiness of families. At the same time there appeared to him strong objections to the measure. He particularly objected to that clause which affixed the punishment of fine and imprisonment to the party who was often the least guilty. That which went to prevent the guilty parties from intermarrying met with his approbation. But from the general view which he was led to take of this bill, he was inclined to think that it would induce a greater evil than the proposed remedy would do good ; it tended in his opinion to make this crime still more injurious to the interests of society than as the law now stood. There were two descriptions of persons implicated in the operation of this bill ; those who were hurried away by the violence of their passions, and persons who might act upon a more deliberate plan of seduction. For the honour of human nature, he was led to believe that the former constituted a more numerous class than the latter. Let the House look at the effect of this bill respecting both these descriptions of persons. With respect to the former, he would ask whether this bill would lessen the number of delinquents ? The woman was sometimes betrayed by her seducer under a promise of marriage ; she lamented her misconduct, and was anxious to make every atonement in her power to society by the purity of her future conduct ; in like manner the man who, yielding to the momentary impulse of his passions, contributed to the ruin of female chastity, might wish to make every atonement in his power, by marrying the person unguardedly betrayed ; but when he should see by this bill that he involved the woman in ruin and infamy, the effect might be to harden his mind against the object of his unlawful attachment, and to divert his mind from the better conduct which he ought to pursue, and thus, he feared, the tendency of the bill was to produce greater mischief than it could cure. There were persons unfortunate, who yet had not lost all sense of morality and virtue : by this bill such persons would be entirely abandoned ; the door would be shut against their return to the paths of virtue ; a degree of despair would

take place, and the unfortunate female might thus be involved in the fate of common and abandoned prostitutes. He could suppose the case of the daughter of a respectable family, entering the world with all the graces to adorn her character and station in society, young, beautiful, and unexperienced in the ways of vice, yet seduced by the arts of a designing man under promise of marriage. Was it fit, he would ask, that this young unexperienced female should be the principal sufferer, whilst the seducer, prohibited by this bill from making her the only reparation in his power, was driven from the marriage bed to the polluted couch of some painted harlot? And was it right that this man should be suffered to claim the benefit of the law as a passport for his dissolute conduct? Without seeking to diminish the magnitude of her crime, still it became the Legislature to draw a line of distinction between the female such as he had described, and the abandoned prostitute, or the profligate seducer. He wished it to be considered how injurious it would prove to society for Parliament to shut the door against her return to the paths of virtue; and would not every one much rather wish to see her reclaimed, than driven by despair into a dissolute course of life? Such an one, fallen it is true in one instance, might still only want kindred qualities in the other party to make her fill up her future character and conduct with honour and credit; no person fitting as a Judge could look upon such a person without an eye of compassion. The Supreme Judge of all, we are told, desireth not the death of a sinner, but rather that he should turn from his wickedness and live; and shall the English law, copying after the divine in its inclination towards mercy in this instance, give no encouragement to the desires of returning penitence? On the other hand, by the hard severity of this law, they were to view the woman lost to hope, and abandoned to despair, driven to a miserable stew, her feelings rendered callous, mocking her Maker, deserted by her friends, and, perhaps, finishing her crimes by suicide. In this point of view, he thought the public morals would be more endangered by this measure, than if, as the law now stood, a refuge was open unto which the unfortunate culprit might fly. Was it not upon the very same principle which he espoused that the Magdalen was encouraged? Was not the object laudable, that of protecting society from the contagion of bad example, and, at the same time, of reclaiming the guilty? Such was the principle of the law as it now stood; whereas the bill proposed, he was afraid, would tend to increase the number of bad women, by rendering them irreclaimable. Let gentlemen look at the operation of the bill with regard to the second class of persons; to men who sought to

gratify their passions by the ruin of female virtue. At present, the idea of marrying the woman whom he had seduced from fidelity and virtue, which the law of honour suggested to him, would operate as a restraint upon his conduct; but this bill would remove that restraint, and tend to encourage him in his profligacy. In his opinion, so far from passing a law interdicting the offending parties from intermarrying, the law should be to compel them to marry. He would ask, whether it had not been found that women who had the misfortune of falling, but had been afterwards married to their seducers, had generally led lives of retired contrition and virtue, whilst others who had not this refuge had been leading lives of prostitution, and had been abandoned to infamy? The present bill would aggravate the evil rather than remove it. He would ask what evidence had been produced to shew that this bill was now necessary? Let gentlemen look at the state of the country. Was there ever a period when British valour, loyalty, charity, and public spirit were more conspicuous? And was it to be supposed that the mothers and daughters of England had had no share in thus forming the public mind? When the virtues of the female branches of the Royal House shone so conspicuous; when the whole nation were so firmly united in defence of their King, their religion, morals, and laws; was this a time, he would ask, to give power to a future historian to sully the age which adorned the valour of this generation, and at the same time to stigmatize its morals? or to authorize the next generation to say, that they owed it to the virtues of those who lived at the closing of the century, that their country was defended, their King protected, and their liberties secured, but that to these same persons it had to ascribe an unusual influx of immorality, and the breaking down of the barriers of virtue? The next generation could hardly believe that such contrarieties could meet. Gentlemen owed it to themselves and their country to enable the future historian to draw a just rather than a false picture of the times in which they lived.

Sir WILLIAM SCOTT observed, that it had been adduced as a ground for the present bill, that more divorces had taken place of late years than at any former period. But from the general and comparative view which he was enabled to take, he felt some satisfaction in declaring that the general state of morals was not worse now than it had been in former periods. There were many instances to be found of a strict adherence in the people of this country to old English manners and English virtues; there were many bright examples of conjugal virtue and fidelity amongst persons of the highest ranks in society; nor did he think that it would be any

discredit to this country to compare its state of morals with that of any other country, and particularly as it respected the crime of adultery. Let any gentleman look into the old English comedies, from Dryden to Congreve, as a specimen of English morals, and compare them with the productions of the more modern comic muses, and it must lead him to this conclusion, that the state of morals was worse formerly than now. He might also refer to the testimony of history, from the writings of the grave Hammond to those of the noble writer Lord Clarendon. He must therefore have very strong evidence under his eye, before he could agree in thinking that the state of morals was deteriorated. The only evidence that had been stated was the increased number of divorces of late years. But he was led to suspect that this arose from causes which had little reference to the profligate state of manners; nor did he think it a probable thing that such profligacy should have broken out all at once. The state of opinion, and the laws, as respecting marriage, were to be taken into consideration. Before the Reformation, it was by the law of the Church of Rome, which existed in this as well as other Christian countries of Europe, that marriage was a sacrament, and a business with which human Legislatures had nothing to do. In consequence of this, divorces were not allowed. When Sir Thomas Powis said, that for 600 years there had been but four or five divorces, he said truth; but the answer was plain, which was, that no human authority had been allowed to lay its finger upon the subject till the Reformation. It was impossible to deny that some of the Reformers run into wild ideas on the subject of divorce, which were inconsistent with the solemnity of the marriage contract. The opinion of Archbishop Cranmer was more consistent; he held, that adultery caused a dissolution of marriage; and that it was lawful and right for human tribunals and legislatures to pronounce upon their dissolution. It became the opinion in the country amongst eminent divines, and the law of the canons, that marriage, although not a sacrament, was a high, mysterious, and sacred ordinance, with which human legislature had nothing to do, and that even adultery itself did not dissolve the marriage. In the canons of 1603, an additional sanction was imposed, which made it necessary for the Ecclesiastical Judge to require a bond from the innocent party as well as the guilty, not to contract marriage during the lifetime of each other. He believed the first attempt to invoke the interference of the Legislature did not occur till the year 1668, in the case of Lord Hughes; yet even then, though at the distance of 100 years from the Reformation, so strong was the opinion that human legislatures had nothing to do in such matters, that it was

with the greatest difficulty the divorce bill was carried through the House of Lords, and all the Bishops but two voted against it. In the year 1715 Bishop Fleetwood combated the same notions (in the case of Sir George Downing), which still existed in his time. After the accession of the present Family to the throne, more liberal notions began to prevail; the Legislature was more generally applied to on such subjects, and the old notions were gradually obliterated. Such was the reason why so few applications had been made for divorces till after the middle of the present century. Of late years, applications to the Legislature for divorces were no longer resisted on old English ground; the expence formed one of the chief difficulties—but this obstacle became gradually diminished in proportion as the wealth of the country increased. However, he could state, that there were as many ecclesiastical sentences of separation *à mensa et thoro*, before, as since the Reformation. The number of divorces that had been sued for was more to be attributed to the prevalence of the new notions, than to the increased profligacy of manners. From looking into the records of Ecclesiastical Courts for the last thirty years, he had to remark, that the number of these sentences had not considerably increased. From 1770 to 1780 there were about fifty-three sentences *à mensa et thoro*; from 1780 to 1790 there was a much smaller number; and from that period to the present time the number was about fifty-five. A great number of these divorce cases may have found their way into Parliament from causes not connected with an increased depravation of manners. This was the case during the last year, when, in consequence of an order in another House, which bore hard on the feelings of one of the parties, these causes which had hung back were brought forward; but in the present year these causes were fewer. Upon the whole, he did not think himself justified in entertaining such gloomy apprehensions as to the existing state of morals in the country which some persons did. With respect to marriage, two opinions had prevailed; the one that it was a mere civil, and the other that it was a religious ceremony. In his opinion it was both. As the law of nature, it was antecedent to the formation of society, and an important but a mere personal contract between the two parties. When society was formed, it became not only a personal but a civil contract, connected with civil privileges and obligations; when religious principles were received in a State, the marriage became also a religious contract, accompanied with plighted vows, and calling upon Heaven to witness them. The idea that the marriage contract was indissoluble, was taken from the construction put upon certain texts of scripture. It was now the practice in every Protestant

country, but our own, for Courts of Justice to give a sentence of separation *à mensa et thoro*; this was the case in Scotland, Holland, &c. He was, however, much disposed to think that the law in this country was placed on a footing the most consistent with the general safety; he meant so far that the Legislature should keep the matter of divorce in its own hands, rather than leave it to subordinate courts. By the existing practice it was requisite, to entitle a husband to obtain a divorce, not only to give proofs of the misconduct of the wife, but at the same time of his own good conduct. It was evident that there might be great shades of difference as to the conduct of the husband, so as to render the decision of the Legislature a matter of discretion which did not safely belong, and could not strictly be entrusted to a Court of Justice, where decisions were to be guided by strict rules of evidence and matters of fact.—With regard to the present bill, Sir William said, that in its present stage he should suspend giving any decided opinion: if he voted for its going to a Committee, it was not on the ground of the increased number of divorces. If its tendency was to strengthen the fences of religion and morality, then undoubtedly nothing should be omitted calculated to answer that effect. He hoped to have found in this bill something equally pointed at the depravity of both sexes. If the House met this measure upon moral and religious principles, they ought not to do the business by halves; and as men, there was one part of it which it might be most proper for them to begin. Sir William said, it had been his lot, in the official situation which he held, to see the most injurious system of adultery on the part of husbands, the feelings of their wives wounded by the most glaring infidelity, and their constitutions poisoned by the most gross indecencies, whilst all the recourse which the wives had was a separation *à mensa et thoro*. Speaking as the father of children, he must say that he should be happy to see something inserted in this bill for the protection and happiness of daughters. This bill ought to go to prevent adultery in general, rather than the adultery of one sex. With respect to the clause which went to inflict penal chastisement on the adulterer, this was not new in the law of England. Adultery was in itself a crime pernicious and poisonous with respect to all the sweet charities of human life: It was already punishable by the Ecclesiastical law, (which, wherever it operated, was as much the law of the land as any other branch of the law.) It must at the same time be admitted, that, from the state of modern opinions and manners, the punishment (that of public exposure and disgrace) was become rather a matter of derision, and was growing obsolete. But there were also sanctions of a more forcible nature: adultery

was punishable by indictment in the courts of Common Law. Sir William proceeded to state his doubts on the propriety of one or two clauses in this bill. He remarked, that it was only to operate in cases where the husband was living with his wife ; but if so, no action would lie in all those cases where the husband lived in a state of separation from his wife. The tendency of this was, to weaken the crime of adultery, as the crime of the female was most likely to take place in such a state of separation. He had also his doubts with regard to that part of the bill which professed to erect a fence against collusion ; also on that clause which enacted that the party should be convicted and punished by a criminal court ; for he could conceive many cases in which a man might obtain relief in a civil court, without the cause being sustained in a criminal court ; whereas if he were to carry on an unsuccessful prosecution in a criminal court, he would fail in a civil court, and in obtaining parliamentary relief : and the expence of proceeding would also be increased by this bill, by the necessity of going through such a variety of courts, as well as both Houses of Parliament. He thought it was but just, on the part of the Legislature, if it passed this bill, to secure the prosecutor against this increased expence. Sir William said, that he was inclined to think that this bill would tend to hold out a premium to the adulterer, in proportion to the terror which it held out to the adultress. He remarked, that it was already the existing law of the country, that neither party should marry again ; all that the Legislature did was to interpose special provisions in particular cases ; the existing law was, in fact, founded on the old principle he had already stated, that the *vinculum conjugale* could not be dissolved by any human authority whatever. With regard to that clause which prohibited the guilty person from marrying the adultress during the life-time of her husband, he considered that the effect of this clause would be, to give the woman her option of the whole world, with the exception of the single person with whom she had had a criminal commerce ; so that, supposing a woman were so depraved as to have such a commerce with ten men, by this bill she may be still connected with all of them, with the exception only of that one whose name happened to be introduced in the legal proceedings : thus she will be allowed to have free access to all the rest of the world, all mankind but one will be at her devotion. He would ask whether, upon the whole, it would not be better to leave the woman in the situation she at present found herself by the laws of the country, and to allow the husband, in cases where he found himself aggrieved, to make his appeal to the Legislature of the country ? He confessed he did not see the policy nor the wisdom of

the measure proposed, as interfering with the discretion of the Legislature. He confessed that his mind was not made up, nor was it cleared of doubts as to the policy of the present bill : at the same time he should not object to its going into a Committee, trusting to the wisdom of the House to correct those parts of the bill which, upon mature consideration, might appear to it to be objectionable.

The bill was then read a second time, and committed for Monday se'nnight.

Mr. Chancellor PITT moved the order of the day on the third reading of the Income bill. He said he would just trouble the House on that part of the bill which related to the form of schedules which were to obtain the more accurate information of each person's income, and proposed a clause in the place of that which he wished to withdraw, " That it should be lawful for Commissioners to put questions in writing, and to receive answers thereto in writing, instead of *viva voce* ; and to give the option to the Commissioners, whether they would send for the party for examination in case of neglect, or not."

Mr. SMITH objected to this clause, as leaving to the Commissioners still too large a share of discretionary power ; but was glad of seeing it, as it enabled him to justify his former observations, and to remark to the House that the Attorney General was wrong in his opinion altogether.

Mr. ATTORNEY GENERAL justified his former assertions, as this clause was the same in substance as that which was before proposed.

Sir W. GEARY thought that the Commissioners should be compelled, in case of the answers not being satisfactory, to summon the party before them for a *viva voce* examination before they proceeded farther.

Mr. Chancellor PITT, on the suggestion, adopted this proposition ; and it was agreed, after a conversation on the expediency and propriety of obtaining, in the fairest and most indulgent manner, the amount of income, that the party should be summoned if the case required it.

The bill then, on the motion of Mr. Pitt, passed, and was ordered to the Lords for their assent.

Mr. Chancellor PITT moved, that the amendments made by the Lords to the bill repealing the duty on hops imported into the kingdom, and imposing others in lieu thereof, should be read ; which being read accordingly,

The SPEAKER notified to the House, that he must call their attention to the nature of the amendments. They went to abridge the time specified by the Commons during which the duty was to be paid; and as this went to impose a new tax, different from that already laid on in a revenue bill, he thought the House could not with propriety agree to them, from such an alteration; neither should they in the course of this session suffer another bill to be brought in under the idea of this improvement, but should reject it now altogether.

On the motion of Mr. Pitt, the amendments were then deferred to this day three months.

HOUSE OF COMMONS.

Thursday, June 5.

The following Account of the Actual and Estimated Expence of collecting the Tax on Income, for the Years 1799 and 1800, was laid on the Table.

The allowances to the collectors, clerks of the commissioners, and the receivers general, for assessing, collecting, and accounting for the tax upon income, will be nearly after the same rate as under the act for granting an aid and contribution, and on that computation will not amount to the rate of 6d. in the pound. The poundage calculated at that rate for the year 1799, on 4,571,074l. (that sum being the estimated produce of the tax, exclusive of assessments by commercial commissioners) would amount to 114,276l. 3s. 6d.

The acts having restricted the rewards to inspectors and surveyors to a sum not exceeding what the commissioners for executing the acts shall report them to deserve; and certificates having been transmitted to this office of the sums which they seem entitled to; it is proposed to make them such allowances as they had received the preceding year, under the said acts for granting an aid and contribution; and which at that rate will amount to 4180l.

Printing, stationary, and other incidental expences in this office, are estimated at 11,850l. 9s. 3d.

The remaining articles of expence attending the duty upon Income (and which that duty only is subjected to) consist in the incidental expences of the commissioners for executing the acts, and in the allowance to assessors.

The following sums have been actually advanced by the Receivers-General on account of the expences of the commissioners, viz.

To Commissioners for general purposes	£. 2,800	0	0
To Commercial Commissioners	13,134	15	0
To Commissioners of Appeal	390	10	11
	£. 15,825 5 11		

No estimate can be formed of the further sums which may be required on this head: but it should be observed, that, upon sums received on assessments made by commercial commissioners, no poundage is payable to the clerks or collectors; nor, where the money on such assessment is paid into the Bank, any allowance to the receivers-general. The amount of this poundage is about 33,818l. 5s. 6d. which being a saving arising from the mode of making the payments on assessments by commercial commissioners, may be set against the expences of those commissioners.

The allowances to the assessors are to be certified by the commissioners for executing the acts; and the commissioners for the affairs of taxes are authorised to direct the receivers-general to pay them such rewards, not exceeding the amount certified, as they shall think fit. From the certificates which have been transmitted to this office, the rewards to the assessors, supposing them to be granted to the full extent recommended by the commissioners, would amount to nearly 1d. in the pound; and calculated at that rate upon the whole assessments, to the sum of 19,046l. 2s. 10d.; but no sum has yet been advanced on that head of expence.

No estimate can be formed of the expence of collecting the tax upon Income for the year 1800. There does not appear to us any reason to suppose these will vary considerably from the preceding statement for the year 1799; except as far as the different amounts of duties in those years may vary the amount and rate of poundage, and as any increase which may be found necessary to make to the establishment of this office, or of the surveyors, may be considered as applicable to this tax.

WILLIAM LOWNDES,
BARNE BARNE,
EDWARD MEDOWS,
HORACE HAYES,
G. T. GOODENOUGH.

Office for Taxes,
3d June 1800.

An Account of the Number of Surveyors and Inspectors, according to the present Establishment : together with the Number proposed, and Amount of the Salaries.

	Amount of Salaries.
Present establishment of Surveyors and Inspectors	
is 213	19,290
Proposed addition of 99 Surveyors at 90l. per annum each	8,910
	£. 28,200

Thirty-six persons have been put under instructions to qualify themselves for the office of Surveyor; but no appointments have actually taken place.

Mr. TIERNEY said he rose, in pursuance of the notice he had given, to move for what he had called in his notice a repeal of the Income tax, but which he did not now wish to have understood in those terms. He rather might be said to rise to move for leave to bring in a bill to limit the duration of the tax on Income. He wished to have his object distinctly understood; for he knew there were many gentlemen who supposed that he meant to embarrass His Majesty's Ministers, and prevent the necessary supply for the services of the year. He had no such intention. His intention was merely to fill up the blank in the bill now before the House with the words 5th April 1801, and to allow the tax to continue till that period. Supposing the House should adopt his motion, it would still be competent, if the circumstances of the country required it, for either himself, or any other Member in the House, to move for its continuance another year; for although his opinion was, that this mode of raising the supplies within the year was not only not available, but even if it were so, its advantages were materially overbalanced by its attendant evils; yet he should have no objection to voting its continuance another year as a war tax. He considered it a tax which, like all other war taxes, ought to be voted annually, and in no other way. He was actuated by two motives in bringing forward his motion at the present moment: first, he wished to have the sense of the House of Commons on so important a subject previous to its separation in its collective capacity, and to avail himself of the opinions of the individuals composing it; opinions the more to be relied upon, as they would come from persons who bore a considerable share of the burthen imposed by the tax: his second and principal motive was, that he might expose a system of finance wholly defective, and inadequate to the purpose intended to be answered by it; and that he might shew those who purchased into the public stocks of the country what their real

situation was. By bringing forward such a motion now, he gave the public fair notice of the intention of the Legislature. He should not in the least affect the operation of the tax for the present year ; on the contrary, it would go on without interruption as usual. His only wish was, that every man might know the ground on which he became a holder of the public securities. Such, he observed, were the grounds of his motion : but he was aware that more substantial ones would be expected of him ; he was aware he should be asked, why he wished to get rid of this tax altogether ? His answer was, that it was a tax he had always been an enemy to ; not to the tax itself merely, but to the principle of it. To the principle of raising a large sum of money within the year, he was as ready as the Chancellor of the Exchequer himself to subscribe ; but he was inimical to that principle being carried into effect through the medium of an Income tax ; it was a bad mode of raising the public money. This opinion, it might be said, was the result of prejudice : true ; and for that reason he should not have held himself justified in taking the present step, if he had not other grounds. The chief of these grounds was, that in consequence of the circumstances that had taken place in the course of the present session, the tax was no longer the same tax it was originally stated to be. If he made out this proposition, he should be entitled to an acquittal of any presumption in acting as he did. The Chancellor of the Exchequer, in the year 1797, had conceived the project of abandoning the old funding system in order to raise the supplies, and to determine that a new system should be had recourse to, namely, that, in every year, a large sum of money should be raised within the year, by an arbitrary mode of taxation, determined by the amount of assessed taxes paid by each individual. The sum proposed to be raised originally by the assessed taxes was 8,000,000*l.* within the year. The measure had failed of producing that sum. He admitted the session that year had not been suffered to close without the House being led to expect that nothing like such a sum was to be expected. A variety of modifications were adopted which naturally would reduce the produce of the tax ; but, on the other hand, the Minister had stated, that the sum likely to be raised by the voluntary contributions would nearly counterbalance the deficiency arising from such modifications. Was the fact so ? The produce of the tax, with the operation of the different modifications, was four millions and a half, and, with the voluntary contributions, was, he believed, raised to six millions and a half, or seven millions. The right honourable gentleman, in the next year, thought fit to adopt a new mode of taxation, and to shift his criterion of

property. The former criterion was expenditure ; under this new mode, it was income ; and the principle upon which it proceeded was, that whatever the income of an individual was, he should pay a tenth of it toward the public supplies. The produce of this tax was estimated at ten millions ; and, in fact, it was distinctly stated, that the probability of such a measure being available to the public as a permanent and solid system of finance, was, that it should produce a sum not less than ten millions. That it had been so stated did not depend upon his recollection ; it was upon the Journals of the House.

The Chancellor of the Exchequer, to convince the House of the solidity of his system, had placed on the Journals a resolution, which he would beg leave to read, as much of his argument turned upon it. It was the 19th resolution, and stated, " That the produce of the tax was originally estimated at ten millions, and that it was important that measures should be taken to render it effectual to that amount." " Thus, in order to give solidity to this favourite system of finance, it was necessary that ten millions should be raised within the year. If ten millions could be raised within the year, the arguments with which he combated the tax would fall to the ground ; but, in proportion as it fell short of producing that sum, they were strengthened ; and the question was, whether the Chancellor of the Exchequer was justified in persisting in a tax which neither had produced nor could produce the sum stated to be indispensably necessary to ensure its successful operation. Upon the deficiency in the produce of the assessed taxes, it had been stated, that great expectations were formed of the result of the voluntary contributions ; but at present such an idea was wholly out of the question. No one dreamt of voluntary contributions ; they formed no part of the new system ; they had disappointed the expectations before formed of them ; and unquestionably would again, if resorted to. In 1799, instead of ten millions, which had been stated as necessary to carry the system into effect, it had produced only about 5,800,000*l*. In the present year the estimate was, that it should produce 7,000,000*l*. Taking the three years, 1798, 1799, and 1800, this tax, which, to have any beneficial effect, was estimated for each year at 10,000,000*l*. would produce a sum not much above 15,864,000*l*. exclusive of the voluntary contributions. This was all the advantage the public had derived from the operation of this system of finance. It might have been expected, that this tax would have precluded the necessity of adding to the public debt. In the year 1799, the Minister proposed his system of raising the supply within the year. He kept his word with the public ;

but in 1798 he added eight millions, in 1799 fourteen millions, and in 1800 thirteen millions to the debt of the country. Such was the aggregate of the facts. He therefore asked the House, whether any thing beneficial was to be expected from a system, the pretence for which was, that it rendered permanent burthens on the country unnecessary? Taking the tax for the present year, the Chancellor of the Exchequer had stated it at 7,000,000l; but at the time he had so stated it, he had a bill in contemplation, in order to produce that sum, which he was sensible it would be inadequate to, if left upon the same footing it was on before. The bill to which he alluded had been brought into the House in silence early in the present session, and taken away in the same manner. That it had disappeared, he congratulated the House and the Public; but why it ever had been brought in, and why, when brought in, it had been taken away, he had never heard any reason stated. Satisfied as he was that the bill had not been persisted in, yet it was necessary, for the purpose of estimating the value of the tax, to advert to it. It had been said, that by the operation of that bill the deficiency of the former one would have been made up. It contained some severe clauses with regard to the merchants, who were suspected not to have given that sum to the Minister which, from their promises at the Mansion house, might have been expected from them. It had been proposed, that they should be used in the same manner as other men; that their commercial commissioners should be taken from them:—If the effect of such a bill would have been what had been stated, he knew not why that part of it should have been abandoned. The ground upon which it was expected that the deficiency would now be made up, was by an increase on farmers and occupiers of land: with regard to the farmers, he believed the bill, as it now stood, would operate as a drawback as to the small sum required of them; but if owners and occupiers of land were to be taken into the account, it might have some effect. It was well known, that many farmed land for the sake of amusement, and some for the sake of example; that they lost by their farming, and, in fact, never expected to gain. The actual produce of the tax had been about 5,800,000l. Of that sum it appeared by a paper presented to the House, that the expence of collecting it was from 160 to 170,000l. He here entered into calculations to shew that the actual produce of the tax applicable to the public service was infinitely below the sum he had stated; in fact, not much beyond 3,000,000l. The produce of the tax being as he had stated, it was surely worth while for the House to consider whether a system attended with so many inconveniences ought to be pursued?

It was in the next place to be considered, that on the produce of this tax there was already no less a sum mortgaged than 13,000,000*l.* He would ask the Chancellor of the Exchequer, whether, if, when he had first opened this tax to the House, he had stated the inconveniences attending it, had stated also that it was to be mortgaged for a sum of 13,000,000*l.* and had stated that instead of being a tax for one year it was intended as a permanent tax, those remonstrances out of the House, which he was more inclined to attend to than the observations of any one in it, would not have been made to him, that would certainly have deterred him from pressing it? What he had mentioned as the consequences of this new system of taxation was the result of two years experience; a result of which he was persuaded there could be no difference of opinion. Was it then too much to say that the system had given way? The Chancellor of the Exchequer might maintain that the present plan was an excellent one. Let it be so or not, it was quite a different thing from that which he had originally induced the House to sanction; and not the least part in which it differed, was that which related to its duration. He calculated that the probable duration of the tax would extend to the year 1810. Had the right honourable gentleman, when he desired the House to sanction such a tax as this, intimated, in the most distant manner, that it was a tax likely to continue ten years, did he think it would have been agreed to? Did he think the House would not have betrayed their duty to their constituents, if they had not rejected it? Yet such would be the operation of the bill in point of duration. The Chancellor of the Exchequer might say, that was a circumstance for which he was not at all responsible, the House having adopted the measure after mature deliberation; he believed very few persons at that time had examined his financial system. He did not mean to infer, that it had been the intention of the right honourable gentleman to mislead them, but merely that the House had given him credit for his representation of it. It had been considered merely as a measure of a temporary nature, and it was under that impression that it had been so readily assented to; in order to reconcile their constituents to it, it had been represented to them as a vigorous measure which Government found necessary to adopt as a war tax, and by no means intended to be permanent. His Majesty's speech at the time of the opening of the sessions was a proof that it was not in contemplation as a permanent measure; his speech studiously avoided making the least mention of laying permanent taxes upon his subjects. But, perhaps, it might be urged that this was not a permanent tax. What, he would ask, was meant by a permanent tax?—Surely, a tax which he should

not see the end of in the course of his life he had a right to consider a permanent tax. It was a subject very little likely to afford consolation to the public, that after they had paid two years of the income tax, they were to go on paying ten more. For all the inconveniencies with which the present measure was fraught there was but one remedy; that remedy was to raise the ten millions within the year. It was not possible to raise such a sum within the year by a tax upon income, nor was it even probable that it could be raised to seven millions. It was then for the House to say, whether they would proceed in a system which, in the course of the two years that it had been tried, had developed itself to be as weak and futile as he had described it. It was persisting in imposing a tax, the collection of which could not be regulated. The Chancellor of the Exchequer had admitted that the sum necessary could not be raised by the present measure. Had he not been persuaded of the impossibility of raising it, why did he bring in a bill at the commencement of the sessions to remedy that, which from information he found had failed for want of such provisions as he had introduced in his new bill? The whole of that bill, which had been recorded as necessary to the furtherance of his system of finance, had been completely abandoned; how then could his own statement justify the expectation of its ever being effectually carried into execution. Was it too much to ask him not to persist in a system which would not produce 7,000,000*l.*, and of which he could not regulate the collection? Certainly, if he did persist, he would justly incur the charge of obstinacy, as he would be carrying it on with the conviction arising from experience that it was not likely to be attended with those advantages which he had originally conceived would result to the country. If the right honourable gentleman now persisted, he would persist in telling the country that they must submit to be taxed a tenth of their income for ten years, because he was unable to carry into effect those measures which make it necessary for a shorter period. Was this a situation for the Chancellor of the Exchequer to stand in?—he was placed in the situation of a Minister forcing a tax upon the country, though he had a perfect knowledge that it had failed. His prudence ought to induce him to abandon it. As the tax now stood, it was not such a one as the Chancellor of the Exchequer wished it to be, as he had pledged himself to the House it should be. He trusted he had made out a strong case as to the failure of the tax; he had not arraigned the original system of raising a large sum of money within the year—it was not that he disliked the original stock, but the bastard scion that had sprung from it. It had no other object than

that of raising the funds. It had been stated, that it would operate to the relief of the public credit; he admitted it would so far operate to its relief, that at a peace the Commissioners for paying off the national debt would be enabled to lay out 11,000,000*l.* instead of 5,000,000*l.* The operation of the tax in raising the funds was to begin, not in time of peace, but in time of war. He was persuaded, that at the return of peace, it would have a considerable operation upon the funds. There were many foreigners who had money in our funds, which they had advanced at a low price; was it proper to enable them to get out of our funds, at the return of peace, a considerable advantage, by the operation of such a plan as this? It did appear to him a hard thing, that the money of this country should be applied in raising the funds for the benefit of foreigners. He considered that the money of the country might be much more advantageously applied. Of all the instruments a Minister ever got in his hands, this was the most deluding; it enabled him to raise what money he might require with facility, because it precluded the necessity of laying immediate taxes upon the country; it had induced the House to vote away thirteen millions and a half, to be redeemed in ten years. He did not mean to deny the Chancellor of the Exchequer's knowledge of finance; he allowed him to possess very eminent talents in that line; but this he would assert, that no part of his fame would rest upon this system of finance: If he possessed no other than what he derived from this tax, his talents were nothing for his family to be proud of.

The right honourable gentleman would say, no doubt, that the revenue flourishes: he admitted it; but it was owing to the war. That the country was able and willing to pay the tax, might also be asserted; but let it be remembered, that there were few men possessed of property that had not something in hand for an emergency. Great would be the difference through ten years, when men call to their view the duties they owe to their families. He then proceeded to prove, that it acted with a severity of a tax upon capital though laid upon income; and from this inferred the cruelty and oppression of the tax. It was a constant outgoing to every person in the country; and it was only on the funds that it could have a beneficial effect. On that ground alone, then, he should think himself justified in proposing to limit its duration: but, exclusive of this objection, the tax was radically bad. There was a great difference in 1000*l.* a year from landed property and from sources that were not disposable. The latter admitted of variety of degrees and different amounts in value. A man of 50*l.* a year landed

estate might be a good father, and yet spend the whole of his annual income ; not so with a man who derived it from trade or profession. If then such a system should become permanent, this must cease to be a country worth living in, as one in which the blessings of liberty could not be enjoyed. It was a system which could only be carried into effect by spies and informers, and as such unfit for a free country. By a paper just laid on the table he found there was to be an addition of 99 inspectors to the former, for the purposes of this tax. He wished to avoid harsh expressions when mentioning those persons ; they were good-looking men, dressed in good cloaths, selected from the tax office for their activity and vigilance. “ But what are their habits, and what have been their employments ? They are persons whose duty it is to go about and see the number of servants, horses, dogs, &c. that each man has, and to make a true return ; in this it is their interest, as well as duty, to be keen and active. These are the persons that are now to come abroad to survey and inspect men’s properties, and to get at the truth by getting at the secrets of each man’s affairs. How is this to be done ? I know no other way than by cajoling, corrupting, and bribing the clerks and domestics of the respective houses they wish to examine ; actions for which a man ought to be hooted out of society ! Does the honourable gentleman who laughs (alluding to a member on the opposite side who smiled) think it grateful to amuse himself at the distresses this bill must excite in private families ? This then is not a country for an honest man to live in ! Every man is not gifted with the candour and spirit of the learned gentleman ;—does he think it a country for an honest man to live in ?—I will say, it is a country, not for men of plain and honest feelings, though it may for placemen and pensioners. Oh ! they, to be sure, will act fairly, and are above suspicion ; for will it be really supposed, that an inspector would dare to inform against them ? If he should, he would know that he must lose his place, and that another would be recommended to fill it.” In these observations he did not allude to the past conduct of these inspectors. He only meant to say, that, to fill their office effectually, they must wade through the dirt, and descend to the most shameful practices. Against the commissioners he had nothing to urge, they were respectable men : but the present description of them must dwindle fast away. It could be no situation for a gentleman, that would oblige him to hold daily communion with spies and informers ; and who would enter into an employment that involved so many unpleasant circumstances ? Some indeed, from a prying disposition, might wish to be commissioners ; but none could feel an honourable temptation. But

admitting that respectable men might be influenced by fair motives to undertake the situation for one year, there was little chance that they would continue to do so for ten. He was certain, that in the course of ten years the whole description of commissioners would change, and that office pass into the hands of low and sordid men.—He further observed on the operation of the system of taking the tenths of men's income: It impoverished the middle class, and advanced those only in trade who could put the additional burthen on the article in which they traded;—for the present high price of things was owing in a great measure to this tax. He exemplified this in the case of the wine-merchant, as that case might be most easily comprehended by those gentlemen whom he wished to convince, and he would speak from his own experience. What he formerly paid 50 guineas for, was now advanced by the late tax to 70; and the wine-merchant charged it with ten more, which brought it up to 80 guineas; thus he shifted the tax from his own shoulders, as others did, and by these means the whole was thrown upon that class of the community who were possessed of a limited income.—Under this consideration, he should think the House would pause before they suffered the whole community to be oppressed. In the education of their children, what can parents now do? On looking to the gentlemen of the army and navy, he would ask, whether it was honourable to take from those who had served their country, the tenth of their income for the remainder of their lives? Such was the depreciation money had undergone, that 700l. a-year was better before the war than 1000l. now.—The consequences would be felt: they would be visible in the orders of the Church and Magistracy: those offices would lose much of their respectability, because they would not be discharged as they were used to be. The gentry who possessed property from 1000 to 1500l. a-year, and who kept their carriages and horses, were driven into little towns for shelter; and the middle class, which formed the most respectable part of society, were likely to be soon extinguished, ground down by the oppression of this tax. When that class was destroyed, the best class of subjects would be annihilated.—They filled that order in the State which placed them too high to be led away by wrong opinions, and left them sufficiently low to have a fellow-feeling with the great mass of the people. But the right honourable gentleman would say, that all this was but a transfer of property: that he admitted, but denied that it was beneficial to the country, because it did not go, in its transfer, to pay off the sums we had borrowed, but to enrich individuals: and it was hard on those who had shewn a zeal for their country, to be

treated harshly by it.—He would maintain, that transferred property was the same in spirit as it was in substance ; for upstart wealth assumed a different character. An estate transmitted from father to son, carried in its course certain duties and obligations which were attached to it, and which in the transfer altered their condition and were destroyed. Hence may be inferred, that change which the manners of the community must undergo, and a change, he dreaded, much for the worse. It was on motives such as these that he called upon the attention and indulgence of the House, and hoped that they would agree with him in the motion he had to make : he did not desire to derange, to embarrass, or to introduce into the finances any obstruction. His object was, to preserve the balance and well-being of the community. Should he, however, fail in this intention, some good would still follow ; it would operate as a notice to people of small fortune to change their mode of living, as they would be unable to maintain their rank in society. All he asked was, that on the return of peace they might be allowed to retrieve, by economy, the ravages which war had made on their properties. Under the present system, no retrenchments could set them to rights. They had no resource but to quit their rank in society. Mr. Tierney concluded with moving, “ That leave be given to bring in a bill to limit the duration of the tax upon income.”

Mr. Chancellor PITT said, that one radical error appeared to him to have pervaded the whole of the speech of the honourable gentleman who had just spoken, that of supposing the tax upon income was imposed by a wanton spirit of innovation by those who had argued it as a measure of finance, and without a sufficient ground appearing of its necessity. Now he would say, that whatever reason that House and the Public had to rejoice, and they were many, at the distinguished blessings which had marked this country superior to any other nation upon earth, and had held it up during several years of severe trial ; yet it would be idle to suppose, that the efforts we were called upon to make in that trial were very light, especially when we were endeavouring to deliver ourselves and the rest of the world ; it would be idle to expect that such an end could possibly be attained without something more than ordinary exertion, and therefore the pressure must be felt. After the funding system, which had been of so much advantage, had so much contributed to the prosperity of this country, and had been carried to an extent far beyond what many persons thought it could possibly endure, and when we were called upon to meet an extraordinary exigency for which the funding system was not of itself sufficient, it would be idle

indeed to expect that such a confluence of difficulties as we had met could possibly be overcome without extraordinary exertions ; he believed, however, at the same time, that the measure which the Legislature had adopted, in its matured state, would surmount the difficulties ; but even in its present imperfect one, so very short of what it was intended to be, and would reach, it would go a great way towards that desirable end, and was a measure superior in its nature to any system of finance that had been adopted in this country, in point of prudence, policy and justice, as well as of efficacy, and was subject to none of the evils of which the honourable gentleman complained, nor would, in the result, produce any of the inconveniencies which had been stated as necessarily arising out of it, but directly the reverse. The honourable gentleman had, towards the end of his speech, treated the tax upon income as striking at the dearest interests of some of the most valuable classes of society ; but the House would recollect, that this was the same argument urged in the same manner, and delivered with the same vehemence, as the very same honourable gentleman had done on this tax when the subject was first discussed in that House, and when the same honourable member, as well as many others, had urged objections to the principle of raising so large a sum of the supplies within the year ; which arguments had been answered, and upon mature deliberation refuted in the opinion of the House, as appeared by its votes in the year 1798 ; and therefore it would be needless for him to go over again the whole of the former grounds. He would merely state *en-passant*, that it had been strenuously maintained, that raising, or attempting to raise, so large a portion of our supplies within the year would materially diminish, and probably destroy our prosperity as a commercial nation, by impairing the sources of our finance ; the best answer to this, as well as the best satisfaction to the public, was, that the experience of three years had shewn the direct contrary of these confident predictions ; that our commerce had risen by that system which was stated to be the forerunner of its downfall, and had increased under the plan by which it was said it must be diminished. This he took to be something like a conclusive refutation of all the gloomy prognostics that were made on the effect of the income tax, at least as considered in a public point of view.— The honourable gentleman had dilated upon various topics, and among them he had urged the inconveniencies which he said must arise from the income tax on families of moderate income, and particularly on the middle class of the gentry ; and he had taken a distinction between some incomes and others, in order to shew that some of them could bear the tax better than others. Upon the first

of these arguments, the discussion on former occasions had been ample; the doctrine of the honourable gentleman had been over and over again examined; Parliament had decided upon the subject; and it would be tedious to go over the same ground again, the more especially as there had been no practical ground stated of positive inconvenience felt: nor was there any thing now stated as to the difference, considered as an income, between that of a tenant in fee simple, or that of a tenant for life, when applied to the principle of raising money within the year; it was the same in that sense, and indeed the honourable gentleman had not attempted to introduce any new argument, but had contented himself with re-asserting his former ones. The honourable gentleman stated, that the operation of this bill was to reduce a person of 1000*l.* a year, to the state of one formerly at 700*l.*—that was not the way of considering the subject; the real question was, in considering the policy of the income tax, whether, if the same sum were to be raised within the year by taxes on the articles of consumption, they would not be more severely felt by the consumer than this tax was; and most clearly it would, because it would be impossible to lay any tax on the articles of consumption, without more going out of the pocket of the consumer than came into the Exchequer. The instance which the honourable gentleman had given of the article of wine was beyond measure extravagant; the income bill could not possibly be the cause of its being such a price as eighty guineas—that price was a point which had nothing to do with the motion now brought before the House, which was for the repeal or the discontinuance of the income bill; and to connect them was absolutely preposterous.—Indeed this very subject chosen by the honourable gentleman as an illustration of his argument against the income tax, refuted it. By taxes on consumption, not only would the retailer of the article lay on a profit to himself when a duty was imposed; but if he found it convenient to continue the trade, he might, in many instances, withdraw his capital from that branch, and, by that means, also diminish the competition in the trade, and consequently enable those who continued in the trade to raise with more facility the price of the article; but it was one of the excellencies of the income tax to frustrate all designs of this kind, by laying the duty, not upon any article, but upon the general income of the party; and therefore it was free from all the objections which had so frequently, and to a given extent justly, been urged against taxes upon the articles of consumption, that the consumer paid much more than the Exchequer received. Then he would ask, how did the objections to this tax apply to the proprietor of land more than to any other gentle-

man, or to the middle order of society ? What was the option of the Legislature ? Either that it should take this method of taxation ; or recur to the old system of taxation on the articles of consumption ; or reject the idea altogether of raising a large sum of money within the year, and put an end to our exertions in support of the contest in which we were so necessarily engaged. Either we must give up the system of raising a large portion of our supplies within the year, by which we had raised our own credit and revived the hopes of the rest of Europe, or else raise that portion ; and if we were to raise it, then we were driven to a choice of either raising it thus, or by a tax upon consumption ; for, let not the honourable gentleman think, that if he got rid of this income bill, there must not be raised by some other mode six millions a year ; and he maintained, that raising it by other modes would be much worse than this, not only for the present, but for any future war, and would entail a larger permanent burden. This was an object for the most serious attention of the House. There were two other general heads of argument, on which the honourable gentleman dwelt : one was, that the present system had totally failed of its object ; the other, that the general effect of it was to give an advantage to the stock-holder over the landed proprietor, and other classes of the community.— Now, in order to avoid unnecessary minutiae of detail, he would take the income tax either as seven or six millions ; that either of these sums fell very short of what he hoped to obtain, was undoubtedly true, the which truth there was neither any extraordinary candour in his admitting, nor in the honourable gentleman's discovering, although the honourable gentleman supported his argument very unjustly, recurring to the resolution of last year upon this subject, and taking it for granted that this tax was to continue in no shape whatever after the war ; although he admitted, that the assessed taxes, of which it was the substitute, were to continue for some time of peace, to make up what might be deficient after the war. How the honourable gentleman reconciled these two parts of his speech to each other, was not easily guessed ; but when he took a view of that tax as raising a certain sum of the supply within the year, he forgot the convoy tax, which was added to make up the deficiency of that tax, and which produced a very considerable sum. A million and a half was raised within the year, besides the assessed taxes. In the next place, the honourable gentleman did not give the House a true general notion of the system of this bill. When he first moved this subject in the House, that his object was to raise a large sum of money within the year, was most true ; that he stated it at first to be his hope it would produce ten millions a year, was true also ; that

it fell short of that sum was equally true ; but what was the inference ? The honourable gentleman, with peculiar dexterity, called for the full produce of the estimate, or else called on the House to reject it altogether, as if there was no medium between producing all and producing none of the estimates. We were in hopes of ten millions—we had seven out of the ten millions, and the honourable gentleman insisted that all the solidity of the principle was gone, since it produced only seven-tenths of its estimate, that was to say, that seven-tenths of a given sum are equal to no given part of it, and therefore you should go back to a system which you had departed from as inadequate to your necessities, and quit one which had been found much better, and that before experiment had been sufficiently repeated to entitle it to the character of proof ; for he maintained, that hitherto we had not experience enough to pronounce on the probable produce of the income tax. Whether it would produce what he conceived at first or not, he would give no confident opinion ; but he might be permitted to observe, that deficiencies of this kind had been experienced in many instances where the estimate was of the most confident kind, he meant in some exciseable articles, which were under the care of men of some experience in the article, and whose mode of enforcing the due execution of the system under which they acted was more summary than is common to the affairs of taxes in general ; and why the deficiency in this subject should be deemed so fatal to the measure itself, he owned that he was at a loss to know. He contended therefore, that the arguments of the honourable gentleman upon that subject were not conclusive ; in short, he maintained, without fear of contradiction, that the experiments hitherto made upon the income tax were not sufficient to enable us to judge of its final amount. But he must call on the House to recollect the feelings it had long entertained, with regard to the necessity there was still to adhere to that system which supports our credit in carrying on the contest in which we are now so necessarily engaged, and which system was not only beneficial to us in our own opinion, but was highly to our credit in foreign countries. He would ask the House how this matter stood now, as compared to our state and condition in the year 1797, when the measure was first applied—This system had produced less than its estimate, and yet it had worked a great change to our advantage, not in our opinion only, but also in the opinion of foreign countries ; it had revived and animated the hopes of the rest of Europe. He would say, that its failure to produce the whole was, instead of an argument against the principle, very strongly in its favour, since nothing but the excellence of the principle could possibly be inferred

from a measure which produced such beneficial effects, even although it fell short of its estimate.

He maintained, therefore, without the least apprehension of the possibility of his being refuted, that all which had been said on this branch of the subject was so far from being against it, that the whole was an illustration of its truth, its efficacy, and its justice. He then proceeded to observe on the probable effect that the borrowing all the money which had been raised for the three last years would have upon the public funds, if the old system only had been adopted. He might ask, whether it would have been practicable to preserve our credit by that system? At the first of these three years, he believed stock would be found to be, instead of 45, 48; and that it rose from that to 55, and that in the year 1800 it was 61; so that here was an increase of 16l. upon 45, that is to say, an increase in stock of between 33 and 34 per cent. This he noticed merely to shew, that many millions of positive gain had accrued by the adoption of this system in the course of three out of six or seven years of expensive and unexampled war; and he did not expect to hear it argued that the public have not an interest in seeing the price of stock high. There could be but two ways to relieve the public credit, either by that which was adopted of raising money within the year, or by proceeding on the old system; and if he found that this plan had raised the credit of the country, as most unquestionably it had, he could not see how it could be maintained (asserted it might very easily) that this system had been inefficacious. He owned he saw no room for any gloomy despondency in our financial affairs. He maintained, that, upon calculation, it was manifest that in the course of the last three years the manner in which money had been borrowed, produced to the public, in comparison of what must have been the effect of borrowing on the old system, a sum not less than 24,850,000l.: this was among the advantages that the public had already obtained by a measure called inefficacious by the honourable gentleman. But there were two other ways of viewing this subject; what would have been the effect of borrowing by the old system when the stock was at 45, compared with what the present system had produced, and will most probably and indeed almost certainly produce, stating the income bill at 6 or 7 millions? The total expence by loan would have been between 69 and 70 millions. Interest and charges on the sinking fund would not have amounted to less of permanent burthen than 6,160,000l. He would however in candour state, that there was about 1,200,000l. permanent taxes to be deducted, but then the saving would still be 4,600,000l.; and therefore the House had only to ask itself, whether it would

agree to this motion, the effect of which would be to take away the saving of permanent taxes to this amount, and which may be felt only for 7, or 8, or 9, or, as the honourable gentleman stated it, 10 years, at 6 millions a year? Whether we should prefer near 5 millions of permanent taxes to that of 7 millions for a few years? Calculating the sinking fund in its operation to pay off the debt in 40 years, and taking the income tax for 8 or 10 years, and comparing it with the load of 5 millions permanent taxes, the one would be about 73, the other 198 millions, making a difference of 125 millions in favour of the public by the plan of the income bill; that was the real state of what this measure would produce, this inefficacious measure as it had been called. This was, however, a saving in a national point of view, and that, he contended, was the fair way of considering it; but he then took a view of the advantages it would produce, supposing it was calculated as it referred to the interest of an individual, in which the advantage would also be very great in comparison of the old system. Having passed over these topics, he proceeded to take notice of another, urged by the honourable gentleman who preceded him; it was, that the income bill tended to rise, unduly, the price of stock, at the expence of the landed interest, after the war was over. If the honourable gentleman thought that this would be the effect only after the war, he ought to have confined his motion to that subject; but his motion went to take away the effect of this system, whether the war continued or not. It was true, the House might vote for the measure again, although the motion should be carried: but all the objections of the honourable gentleman were against the income bill in general; and what would be the effect of adopting his motion? Why, that of making it doubtful whether Parliament would continue the measure or not; and that too when we found the confidence it had already infused into the people of this country—the spirit it had kindled all over Europe, and after our enemy had been almost entirely converted by it into an opinion that our resources are inexhaustible, this was the measure which the motion of the honourable gentleman would make it a matter of doubt whether we should continue it or not. He was much deceived in the temper of the House if it had any idea of acceding to such a motion. It should at all events be deferred to a period of peace, and then the House would consider whether it would continue the measure; and if it did, would then consider under what modifications or limitations, and to what degree or extent, it should be so continued. He did not call this measure, although adopted by Parliament, and although so very beneficial already, a pledge that it

should be continued for any given length of time; it was not in the nature of a bargain, that this system should at all events be continued. He was not aware of any thing that passed between him and those who contracted for the late loans; but it was, and indeed must be, naturally understood, that Parliament would adhere to a system it had adopted upon so much deliberation as they had done this system, and would not hastily, or lightly, or easily abandon it; and therefore, without making any bar to the future deliberation of Parliament, which indeed could not be done consistently with the free exercise of its functions, the House would consider very gravely, and very cautiously, the whole of the properties of such a plan as this, before they agreed to abandon it. He did not think that the House would be suddenly induced to give up a system which had conducted so much to the advantage of public credit, and raised so much confidence all over Europe, merely because an honourable member should be pleased to request it. He did not think the House would at once turn its back upon such a plan as this, and take a contrary course, by which they would depress the funds. He did not think that because good bargains were made on behalf of the public when the funds were low, an opportunity would be looked for to avail itself of an unfair advantage when the funds were high, and take a new course on that account merely. Such a conduct would be unworthy of the justice or the dignity of the British House of Commons. How much further the operation of this measure might go, would depend, as it ought, on the wisdom of Parliament in considering the subject at a future period; and he apprehended they would be a great deal guided by the future state of public credit, and various other circumstances. He was desirous of having it understood, that he was at present giving no opinion on these topics—he was now only contending, that hitherto the beneficial effects of this system were very great; for it had enabled the public to borrow, and would enable it to pay, much—very much cheaper than could have been done without it. But the honourable gentleman contended, that this system was favourable to the monied men, and allowed to the money-lenders exorbitant profits. Now, how did the facts stand upon that subject? Why, that, considering the state of the funds, the bargains made for loans for the three last years, that is, since this system began to operate, had been more beneficial to the public than at any former period; and the whole system, in that respect, had a tendency directly contrary to that which had been stated by the honourable gentleman. Here he recited the terms of the loans for the last three years, not by the way of information to the House, for they had been often before discussed, but by way of

mere illustration of what he had said upon that subject generally. And here again he must take notice of an invidious and an injurious distinction taken by the honourable gentleman—not that he accused the honourable gentleman of any unfair intention, but he looked at the probable effect of these things, and on that account he took notice of them. The distinction which he said was invidious and injurious was, that which was attempted to be drawn between the interest of the monied men and those of the landed proprietor. There was no foundation for any such distinction. In the community in which we had the happiness to live, their interests were the same; and if to wish to raise the funds, and possibly being in some degree instrumental in effecting it, was a crime, he was ready to plead guilty to the charge. But he owned it was the first time he ever knew of a Chancellor of the Exchequer being convicted of the crime of increasing the price of the public funds in time of war. If this be for the gratification of his friends and for the advantage of the public, and it be a crime to have thus acted, he must plead guilty; at the same time he begged leave to say, that those who profited by this were not the money-lenders, but the bulk of the nation at large. It would, in his opinion, be a violation of common sense, to say, that any land-owner in the kingdom was so situated, or could be so situated, as not to have a direct interest in the value of the funds; an indirect interest every body knew each individual to have. But that which excited his astonishment most of all was this, after seeing the beneficial effect which the high price of the funds had upon agriculture—upon the profits of the merchants—upon the capital of the manufacturer—or upon the more refined consideration of reducing the interest of money upon mortgages, and bringing it down to 4 instead of 5 per cent.—when he saw the scheme now acted upon reducing the accumulation of the capital of our debt, the constant theme of the prognostic of our ruin, and yet heard it said it was for the advantage of the public that the funds should not be very high, this, he owned, excited his astonishment. The lower the interest of money was, he must contend, the better it was for all classes of persons in the community. He contended, that this was the general effect of the system which the honourable gentleman proposed by his motion to set aside. As to the idea that a few foreigners who held money in our funds might profit considerably by selling out in time of peace—he did not know exactly their number, or the amount of their property in our funds—perhaps they might be a 20th or 30th part of the whole; but he did not very well understand it to be an objection to the mass of the people of this country profiting largely, that foreigners might possibly

take some small advantage under the same system. As to the bill which had been alluded to, and which was withdrawn, he would only say that it was presented to him by persons of experience. He did not present it to the House as a measure that was not likely to be materially altered. He found it was liable to many objections, and he was not ashamed to say that he only performed his duty by having it withdrawn, either because it might be improper in its matter, or particularly inconvenient in the execution. Upon this the honourable gentleman might make what comment he pleased. But when the honourable gentleman took notice of the inspectors and surveyors of the affairs of taxes, he was pleased to call them spies and informers. Now, what was there in this? It was no more than the duty of every member of that House to do every thing in his power to prevent the evasion of taxes, and these inspectors did no more :—to consider them as acting merely upon the recommendation of an individual was a paltry idea ; he hoped that none of them would do so. But when the honourable gentleman said that no honest or honourable man would like to live in England under such a system, that is, if he be made to pay to the amount of the tax by means of such persons, he must beg leave to say, that this was an attempt to affect the feelings of the House by idle declamation : it was an endeavour to run down a measure by hard words, when in reality there was nothing objectionable—spies and informers ! In the first place, what was meant by a spy ?—In time of war he was a recognized character. But what was the true meaning of a spy in civil life ? He was a person who disguised his real character, in order to find out from another something that was to be concealed, and which he was to disclose to others. Now the person here was to be appointed by act of Parliament ; in such a situation it would be curious to contend that he was a person who concealed his character. Another species of the spy was a person who hung on private society, to catch unguarded words or actions in the course of private society, and then report them, to the prejudice of the person who confided in him as a friend. This could not be the description of a person who had a public designation, and was acting in the due execution of his duty, which duty consisted in calling on another to do what the law of the land commanded him to perform. Now, what there was injurious to society in such a character, he did not see. In short, these general epithets of odium had the effect of deterring honest men from the performance of their duty ; and not only our finance, but the criminal justice of the country, might be impeded if this practice was to obtain to any great extent. He knew that every subject was bound by the spirit of our

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social compact, every man who accepted an office of trust was solemnly pledged by his oath of allegiance, to disclose whatever he knew of the crime of treason. Why then should any stigma be cast on an officer for doing that which the law commanded every good subject to do ?—and as to the influence of these appointments, here was the sum of six millions to be raised by a smaller expence than a much lesser sum was to cost in the collection in any other department of the revenue. He did not charge the honourable gentleman with any deliberate intention to do mischief, but he might produce that effect by these declamatory epithets, unless they were properly exposed : in short, it was a mere strain of eloquence of the honourable gentleman.—This, however, was a minor ground of consideration on this subject. The great grounds against this motion were these—that until the time of peace at all events it was premature. It will lower the hopes of this country, and also of the rest of Europe, engaged with us in a common cause so necessary to be kept up at this time most particularly ; that the measure it seeks to set aside is so far from being a hardship on any class, that all ranks of society are benefited by it ; that, instead of being particularly favourable to money-lenders, it is most remarkably so to the public who borrow ; that it tends to raise the value of stock, which is beneficial to the public at large. All these advantages, the motion now before the House tended to set aside ; and therefore, upon all these grounds, he should give it his decided negative.

Mr. W. SMITH observed, that there was no question as to the superior advantages to be derived from raising a great sum of money within the year ; he granted the utility of such a system, and particularly with respect to the making of loans, as had been stated by the right honourable gentleman. The single question was as to the repeal of the income tax, and whether the objections to continue it were not such as should lead the House to resort to some other mode of raising the supply within the year ? To this question he considered a great part of the right honourable gentleman's speech to be irrelevant. He denied that the arguments used by himself and his friends against the imposition of this tax had been confuted. It had been justly objected to this tax, that it bore unequally on different persons, inasmuch as it raised a similar sum on all sorts of income, whether that income were of the value of three or of thirty years purchase. Could that be a fair tax, to be equally raised from one person of three thousand a year, and another of only three hundred a year ? Surely persons ought only to be called upon to contribute in equal proportion to their interest in the country, and to their means of payment. He still thought that there might have

been means of adjusting this tax with much greater accuracy in regard to the means of those who were called upon to pay it. He must also insist on the extreme unpleasantness of the means resorted to in levying this tax, and which he thought might have been avoided. With regard to the bill which the right honourable gentleman had abandoned this session, he was disposed to give him due praise for withdrawing it, nor would he impute his conduct in this respect to cowardice or any improper motive; he only blamed him for giving his sanction in any measure to a bill so detestable in its nature. But he suspected, that though some of the means proposed to be resorted to by that bill were now dropt, yet they might be attempted upon some future occasion. Mr. Smith here proceeded to dilate on what he considered as the objectionable parts of the withdrawn bill, when he was called to order by Mr. Pitt, who objected to this mode of argument as irrelevant to the present question.

The SPEAKER said, it did appear to him that there was but a very slender connection between the question before the House and the merits of the bill which had been withdrawn: the honourable gentleman's application of his argument was extremely forced. He would not, however, say that there might not be some sort of connection. He had, therefore, been unwilling to interrupt the honourable gentleman, but would appeal to him whether it would not be most proper to abandon this line of argument.

Mr. W. SMITH proceeded. He said, that if there was but slight connection betwixt the argument and the question, all the inconvenience would be that of a person's using a weak argument; but though for his own part he saw a much greater connection than had been supposed, he was willing to wave entering into a detail of the provisions of the bill which had been withdrawn. This, however, he must say, that it did appear to have been the opinion of those concerned in arranging the system of levying this tax according to the provision of that bill, that means must have been resorted to, to which the people of this country were by no means willing to submit. With regard to spies and informers, that character he considered as only referring to persons who took upon themselves a task which they could not fulfil without involving themselves in the odium of making such inquiries as no man of honour could engage in: and in this respect he saw no harshness in the censure which had been thrown out by his honourable friend. What he considered as the two grand objections against the income tax had not, in his opinion, been satisfactorily answered; he meant the inequality with which it attached on different persons, and the means by which it was to be collected. He did not believe that large sums of

money had been gained to the State by this act, in the manner that had been stated by the right honourable gentleman; and it would be found true respecting the country, as it was to private life, that in proportion as large sums of money were raised with facility, they were expended as easily. For his part he did not wish to see so great a facility in raising the public money. What had been raised for the service of the current year had been applied to the payment of the interest of money borrowed. There was a sort of deception on the public in this matter, which he viewed as injurious to its real interests.

Sir ROBERT WILLIAMS said, that he had hitherto supported Ministers in the prosecution of the war, and was ready to grant them every means of prosecuting it with vigour and effect; but as they seemed determined to extend the income tax beyond the duration of the war, and make it a permanent tax, this was more than he thought himself warranted in agreeing to. As far as it regarded the war he would support it, but no farther.

Mr. BUXTON said, that the inequality of which the honourable gentleman (Mr. Smith) complained, was inseparable from every system of taxation which it was possible for the human mind to devise. In the beginning of the war he had proposed a tax upon property, but that was also found liable to great difficulties and embarrassments. He was now a friend to the tax upon income, because, in his opinion, it came nearest to a tax upon property; neither was it liable to the objections that were urged against his original idea of a tax upon property, for it affected the produce of property, not property itself; and it moreover fell on those who were best able to pay it; on that account more particularly it should continue to have his support. He was one of those who were called the landed gentlemen, and he was ready to give up a tenth of his income, not for ten, but for twenty years, nay for ever, if the remainder of his property were secured from the inroad of French pikes and French principles. Nor was the tax to be perpetual; but only to continue till the interest on the sums raised for the prosecution of the war should be paid off.

Colonel ELFORD also defended the tax, and opposed the present motion. The tax was an equal one, and he saw no objection to it which did not equally apply to all assessed taxes whatever. At any rate, he saw no reason for adopting this motion at present. Should the tax be found hereafter to be unprofitable or impracticable, to be pernicious or nugatory, it would then be time enough and perfectly competent to any honourable gentleman to move its repeal; but if,

as he trusted, it should be found efficacious, then the consequence of repealing it would be truly pernicious.

Mr. MANNING said, he should object to the motion, unless, at least, the honourable gentleman would propose means for securing the re-payment to those persons who had advanced money to Government upon the credit of this tax. He was persuaded that it was to the great satisfaction and consolation of the House, that the Minister had stated the resources of the country, and the terms on which loans had been raised for the last three years, compared with the terms on which they had been raised by the old system. He, for one, felt unwilling to abandon this new system, without some gentlemen shewing how the six millions could be levied so well by any other mode; besides which there was every reason to expect that the amount of this tax would continue to increase. Mr. Manning adverted to the injurious insinuations which had been spread, to the disadvantage of commercial men, who had appeared before the commercial commissioners. He observed, that in London alone, the sum of 866,000*l.* had been paid from this quarter, which bore a large proportion to the whole sum paid by the commercial interest throughout the kingdom at large, amounting to 1,175,000*l.*; and yet, by the new regulations, he thought more than this might be raised; the prejudices of many persons would be removed; added to which, there would be various sums from persons in the country towns engaged in commerce, where at present no commercial commissioners had been appointed. He hoped, therefore, that gentlemen would at least suspend their judgment as to the efficacy of this measure, till the result of the new regulations was known.

Mr. TIERNEY in reply said, he was willing in part to suspend his judgment as to the amount of the income tax to be derived from the commercial interest; but he knew not how this was to be clearly ascertained; the new strong bill which had been lately introduced, evidently shewed how difficult it was to ascertain that income. Gentlemen had no right to call upon him to propose taxes in the room of this upon income, which he wished to see abandoned. He would, however, suggest the expediency of rendering perpetual the tax upon the exports and imports, which would raise the sum of 1,200,000*l.*; the interest on the 56,400,000*l.* three per cent. stock, would produce 2,200,000*l.*; and as the tax upon exports and imports would affect the commercial interest, so if a proportion of the assessed taxes, to the amount of one-third, was laid on the landed interest, these sums would make up the amount of the sum now raised by the income tax. Mr. Tierney denied that he had it in contemplation indirectly to move for peace under cover

of attacking the income tax; but he wished gentlemen to vote and to bear their burdens with their eyes open respecting their nature and consequences. He granted, that it was the best system to raise a large sum of money within the year; but neither the convoy tax nor the voluntary contributions ought to be included by the right honourable gentleman when stating the amount of the tax upon income. He had stated that this tax did not answer the end proposed; the advantages of raising short of three millions were not adequate to the disadvantages of mortgaging the future tax upon income till the amount of 13,000,000*l.* and a half were paid off. He denied that the redemption of the land tax could have operated so as to render this income tax productive; the rise of the funds was also to be attributed to other causes than the operation of this tax. He considered this tax as operating severely to increase the price of the articles of consumption even more than a direct tax upon those articles, and that this fell heaviest on those persons out of trade who had no means of reimbursing themselves. His object was, not to destroy the tax upon income as furnishing a means for the prosecution of the war, but to prevent what it would produce on the return of peace. Nor, even if the rising of the funds was owing to the operation of this tax, was this to be considered a symptom of increasing national prosperity, whilst the country was compelled to continue this import by arbitrary and artificial means, by means which raise the public credit in a way oppressive to individuals. After explaining and vindicating what he had said respecting spies and informers, he declared that his only wish was to get rid of the operation of this tax when peace came, but in no wise to embarrass Government in the prosecution of the war.

Mr. Chancellor PITT denied that he had expressed a wish to render this tax perpetual, and a substitute for others; he had only suggested whether a very small proportion of this tax might not at some future time be substituted in lieu of some of those small and personal taxes which might be considered as vexatious. The rise of the funds was a collateral benefit to country gentlemen, as well as to those more immediately connected with them; and he also considered this mode of taxation to be the most economical, from the few additional tax-gatherers that would be requisite. He denied that this tax had such a general tendency to raise the articles of consumption as direct taxes would have.

Mr. TIERNEY and Mr. PITT after this severally explained, when the question being loudly called for, the House divided,

Against the question, 114; for it, 24; majority against the motion 90.

LIST OF THE MINORITY.

Bearing, Sir F.
 Brogden, J.
 Copley, Sir L.
 Cooke, B.
 Dennison, W. J.
 Howard, H.
 Hufley, W.
 Hobhouse, B.
 Jekyll, J.
 Jones, J. Tyrerwhitt
 Knight, J. Payne
 Lambton, R. J.

Milner, Sir W.
 Pulteney, Sir W.
 Plumer, W.
 Robson, M. B.
 St. John, St. A.
 Shakespeare, A.
 Tufton, Hon. H.
 Taylor, M. A.
 Western, C. C.
 Walpole, Hon. G.
 Winnington, Sir Ed.
 Williams, Sir Robert.

TELLERS.

Tierney, G.

Smith, W.

HOUSE OF LORDS.

Friday, June 6.

Lord CARLISLE. "I rise to trouble your Lordships with some observations upon a subject, which I deem myself bound to advert to, as it relates to myself, and to my conduct in this House. But I am more peculiarly called upon to address you, as the matter of which I have to complain strikes, in my apprehension, the severest blow at the dignity of your Lordships' proceedings, and the freedom of debate. On this consideration alone, I trust I shall have but little apology to make your Lordships for engaging your attention. I consider it, my Lords, as a fundamental principle of the proceedings of this House, that the freedom of speech ought not to be violated. It is declared by the first act of William the Third, that the freedom of speech for the purpose of debate ought not to be impeached or questioned in any court of justice, or place out of Parliament. If I were to rest my argument here, my Lords, I trust it would be sufficient; but"

Lord GRENVILLE. "If the observations of the noble Lord relate to any matter touching the privileges of the House, I would submit that it has been the prevailing custom, upon such occasions, to order all strangers to withdraw."

Accordingly all strangers were ordered to withdraw*.

* It has since appeared, that his Lordship proceeded to remark upon a printed report, in *The Times* newspaper, of a charge delivered by Lord Kenyon to a Jury in the Court of King's Bench on the preceding Saturday, in the case of *Taylor versus Birdwood*, for adultery; in which some allusions were made to the debates which had taken place in the

On the second reading of the bill to prevent the effects of post-humous avarice, by prohibiting the future accumulation of wealth uselessly, in a manner similar to that adopted in the will of the late Mr. Thellusson,

The LORD CHANCELLOR said, that since he had introduced the bill, he had taken pains to collect the opinions of all ranks of professional men of known abilities upon the subject, all of whom had concurred with him in sentiment, excepting only two gentlemen, both of them very eminent conveyancers. Those gentlemen, however, had stated to him the grounds of their objections, which were founded on a principle of political economy, but by no means to his mind satisfactory. On the contrary, when he came to examine them, his judgment, and that of others to whom he had made them known, were decisively against them. His Lordship stated the grounds of the objections; the gentlemen holding, that the accumulation of a large fortune by vesting it in the funds, or putting it out to interest in any other manner, and letting it remain for a great number of years, till it had swelled to an enormous sum, would ultimately be more advantageous to the public, than dividing it at an earlier period, and letting it get into circulation. His Lordship declared, he held the converse of this proposition to be the truth; and that a fortune in circulation, even if spent in luxuries, waste, and dissipation, did more good to the public, and afforded more emulation to industry, and better encouragement to arts and manufactures, than any useless accumulation of money could do. With regard, however, to any greater or less objections of those gentlemen whose opinions he had consulted, his Lordship said he had committed them to writing, and compared them with the bill; and he found, that, by omitting some of the technical expressions in it, putting in more common words, and shortening the bill, so as to reduce the whole to a single, plain, and simple proposition, every objection would be met. With that view, therefore, and as the Committee was the fittest place to make the alterations in, he moved that the bill be committed for Monday next. Ordered.

House of Lords on the New Divorce Bill, and particularly to the appellation of *Legal Monks*, which seemed to have been applied to those who preside in our Courts of Judicature. Some conversation ensued, which ended with a notice from Lord Carlisle, that he should on Tuesday make a motion upon the subject.

HOUSE OF COMMONS.

Friday, June 6.

Mr. Secretary DUNDAS rose and observed, that the great local change which had taken place in our possessions in India by the acquisitions lately made, rendered it necessary to make correspondent alterations in the government and judicature. In the earlier times of our connection with the peninsula of Indostan, Bombay became the seat of government, after the security of Coromandel by an establishment in Bengal and Benares ; but, now that the accessions by our conquests in the Mysore afforded an uninterrupted communication with the coast of Malabar, different regulations were requisite. On referring to the map of India, it would be seen, that Bombay, which had never been selected by choice, and only because we had no other place, was not now the proper central position. What he meant to propose was, that Malabar and Coromandel should have one settlement and one government under the Presidency of Madras ; its authority to extend farther towards the river Indus ; and by way of precaution, in case we should at any time be disturbed by the Mahratta, or Gessond Shah, it would be also expedient to extend the judicial power hitherto administered at Madras and Bombay. The power there exercised by the Mayor and Aldermen, was by no means the best mode of jurisdiction ; besides, the Aldermen had of late demanded salaries more than adequate to the duties they had to perform. Upon the whole, the recent improvements made in the judicature of Calcutta, made it necessary that courts of the same description should be established at Madras. There were, he said, other details of inferior consideration—one, that some capital punishments now prevailing there, should be commuted for transportation, which he thought might be done without injury to virtue or morality. Another related to articles of police, and empowering the supreme Government of India to institute new offices, with pecuniary emoluments. Without troubling the House any farther, he moved for leave to bring in a bill “ for establishing farther regulations for the better government of the British territories in India, and the better administration of justice in those parts ; ” which was agreed to.

Monday, June 6.

Nothing material occurred in either House.

HOUSE OF LORDS.

Tuesday, June 10.

As soon as the Lord Chancellor came to the House, strangers were ordered to withdraw; and so strictly was this order enforced, that soon after their Lordships had proceeded to business, the very lobbies were directed to be cleared*.

HOUSE OF COMMONS.

Tuesday, June 10.

Mr. ROBSON moved, "That there be laid before the House an account of such sums of money as have been laid out by order of Government in aid of soup establishments within the metropolis since the year 1799."

Mr. Chancellor PITT said, he knew not what ground there was for calling for such an account as this. The truth was, that some money had been advanced from the civil list (from that part which is allotted to secret service) to avoid some inconveniences and pressure on the lower classes of the community, until some new mode might be adopted for their relief; and if any such mode should be adopted, those advances would of course be repaid. He owned that he was not aware of any particular reason for such a motion as this; nor did he see to what good it tended at this moment.

Mr. ROBSON said, it was desirable to know what public money was advanced for any purpose. He was apprehensive that a rate, according to the rent, whether rack-rent or not, of every individual in the metropolis, would take place to renew these institutions of soup gifts. A great part of the town was very much alarmed at this measure. He knew not why a petition, such as that which referred to this institution, should be kept so long before the House. He wanted to know how much public money had been

* It has been said, that Lord Carlisle made his promised motion on the subject to which he alluded in his speech on Friday last; but that, after some debate, it was got rid of by the previous question of adjournment being moved and carried. More than this we do not presume to say; as a noble Lord high in office intimated on this occasion, that should any publication be made of the proceedings, he would move a very exemplary punishment against the Printer, Editor, or Proprietor of the work wherein they should be inserted.

advanced upon this subject—if that was an improper question, the House by its vote would say so.

Mr. Chancellor PITT said, there was no question now before the House relative to the continuance of these benevolent institutions—but he still must observe, that no reason had been laid before them for this motion. The honourable gentleman had misconceived the subject of inquiry into the rate paid by individuals—the House had made no order yet to affect the property of any individual, and that was distinctly stated on a former occasion. The object of the order he referred to, was to ascertain that which may facilitate a general principle of rate. This was a thing that could be ascertained very easily, and it was a proceeding which pledged the House to no particular measure. As to the question of rate, if any rate was to be imposed in addition to the present poor's rates, that must be compulsory, because it was the nature of every rate to be so. Now what this had, in its present state, to do with the question which may come hereafter as to the best mode of affording relief to the distressed and industrious poor of the city of London, he was at a loss to guess—Whether the relief should be adopted by way of throwing it into a general mass and then relieving individuals out of it, or that each parish should provide for its own distressed inhabitants, he would not say; there were instances in which both ways had been adopted in different parts of the kingdom; but that such a motion as this should be made at this time, before any measure was proposed, was to his mind a novel measure—it was at least premature.

Mr. JONES said, the question now before the House appeared to him to be this—whether an account of public money advanced by Government in aid of soup establishments should or should not be laid before the House of Commons? He had taken notice of this subject three months ago. There was gone forth a considerable alarm on this matter; the real truth appeared to be, that our benevolence upon the aid of the poor was now turned into taxation; and if any measure of this kind was brought forward, he should oppose it in every stage.

Mr. ROSE said, the alarm of the honourable gentleman was ill founded; it was to be, as he had always understood it, upon the subject of proportionate expence; it was a proportion applicable to each parish, and not to each individual; but at present there was nothing specific before the House, he was speaking only of what was intended; on which, of course, the House would judge for itself.

Sir W. PULTENEY observed, that the changing the whole plan of benevolence into a tax, was a thing of sufficient magnitude and novelty to alarm any body, and therefore he was very much against it.

Mr. HOBHOUSE said, he understood that aid had been given by Government to soup establishments in the metropolis.—That was a distribution of public money—this was a motion for an account of the distribution of such public money, and a thing which he thought every Member of Parliament had a right to ask for.

Lord HAWKESBURY said, that to know what public money had been laid out, as well as what was to be imposed, and how imposed, was a right to which the House of Commons was most undoubtedly entitled—it was a right which was unquestionable whenever the House should think proper to enforce it : but it was a right over which the House would exercise its discretion, as well as it would on any motion that came before it ; and it was not of course that the House would exercise that right merely because any individual in it would make a motion to that effect. He knew, that from a desire of accommodation, it had of late been very much the practice to assent to motions of this kind, and that from it was likely to arise a spirit (whether the thing called for be relevant or irrelevant to a measure about to be discussed) of charging those who should oppose the production of it with improperly withholding information from the public. Now, upon that subject, he was desirous of saying this, and he was glad of the opportunity now offered to him for saying it, that no information was improperly withheld from the public, unless the House of Commons thought it was information which the public ought not to have ; for the House of Commons was to judge of this, as well as of every other question which was submitted for its consideration. Government had a right to apply this money, in the first instance, according to the ordinary practice of the Constitution, and it was afterwards to be submitted to Parliament to judge what measure was fit to be adopted ; but the question now before the House was this—Whether there was any ground laid to make it necessary that this information should be given at this moment, under all the circumstances?

Mr. ROBSON explained, and said, he moved this at the unanimous desire of a great many thousand persons.

Mr. HARRISON said, he always understood that any document was to be produced when moved for, unless the production of it was attended with public danger or inconvenience.—He considered the observations of the noble Lord who spoke last as very extraordinary.

Lord HAWKESBURY said, he wished to be clearly understood upon this subject. The whole tenor of what he said was this, that the right of the House to call for any document that referred to the distribution of the public money, whenever the House thought proper to exercise that right, was unquestionable; but the right of the House, and the propriety of the motions of an individual calling for an exercise of that right, were distinct points; and he would take the liberty of adding, that the House would do wisely to pause and consider the grounds of motions like this before they assented to them.

Mr. JEKYLL thought there was but little novelty in the constitutional doctrine laid down by the noble Lord who had just spoken.—What was the ground for this motion? A very plain one; it was calling for an account of a distribution of public money which had taken place in a very novel and extraordinary manner, and that preparatory to a system of taxation which was to succeed to a benevolence, and this to affect a vast multitude of persons, many thousands of whom had already desired the inquiry to be made; this was foundation enough for the motion: but if the noble Lord wanted any further ground, he would tell him, as a lawyer, that no new system could be added to that of raising poor rates at the vestry of every parish, without doing away the whole force of the statute of the 43d of Elizabeth, which was the great pillar of all the poor laws in this country.

Mr. Chancellor PITT said, that there was at this moment no question before the House upon the poor rates, and that it would be time enough to discuss them when the subject came before the House.

Mr. JEKYLL repeated the ground on which he thought this information ought to be given, and said, he should take the sense of the House on the question.

The ATTORNEY GENERAL expressed his surprize that this motion was persisted in, when there was before the House no proceeding whatever to which it referred.

Mr. MARTIN said, he understood the honourable member to have stated, that he was desired by many thousand persons on whom the system now about to be proposed was to operate, to make this motion; and that appeared to him to be a very solid reason for it.

Sir W. GEARY thought that any Member had a right to ask for an account of the distribution of public money, and it was much a matter of course to grant it; and when it was laid upon the table, it was competent to any member to move any thing upon it. He did not understand it to be at all the practice of the present

Administration to oppose motions for the production of documents, or to counteract the wishes of any Member for information of this nature. As a public document, he thought this ought to be laid on the table; and if there was a division, he should vote for the motion.

Sir W. MILNER supported the motion.

The House then divided on the motion. Ayes, 50; Noes, 108.

A message from the Lords stated, that they agreed to the Wet Dock bill.

The MASTER OF THE ROLLS moved the order of the day for the House going into a Committee on an engrossed bill from the Lords, for punishing and preventing the crime of adultery.

Sir GILBERT HEATHCOTE rose to oppose the Speaker's leaving the chair. He did not think the country so little actuated by a genuine sense of duty as many honourable gentlemen appeared on former occasions to insinuate. The people were not so vicious, the state of public morals was not so depraved, as to require a bill so severe and exceptionable as that which it was now proposed to send to a Committee. With no reason to alter his opinion, he would declare himself as hostile to the measure that evening, as ever he had been in any stage of it. Why seek to arm Judges with new and extraordinary powers? By the law, as it stands, they have it in their power to punish with imprisonment any one who cannot pay the fine in damages inflicted in the Courts of Law. Before, therefore, the House agreed to such a bill, it was fitting to consider all its provisions with a grave and full attention. It was necessary that the provisions should be such as all would allow to be necessary; but especially it should be shewn that the bill, if adopted, would produce the good effect, the attainment of which was avowedly the object of it. The punishment proposed was severe and unexampled. The offence which gentlemen sought to punish was almost as old as society itself. There was one remark which he would press on the House, and it arose from some close and accurate observation of the progress of manners in the surrounding countries of Europe. In France formerly, and since her revolution, there did prevail an apparent laxity of morals. The women were less under the dominion of a severe moral police, and, if amorous, were not made the subject of actions in the Courts of Law, yet they did form very universally the topics of conversation. But whatever was the state of public morals in the other nations of Europe or in France, the laws to correct adultery were less severe than among ourselves.—Adultery was undoubtedly a crime. It was inconsistent with the security of society, and ought to be corrected and restrained in every

way that sound policy would dictate. But he was afraid that frequent and severe punishments did not tend to prevent the commission of crimes. He thought the House would act wisely in observing great caution with respect to laws which would add to the criminal code of the country. There did not appear to him to exist any, very great reason for complaining of the morality of the people. With respect to the progress of divorces, he saw nothing even in the increase of them that justified the House in supposing that the number of divorce bills passed of late afforded any true criterion of the number of cases of adultery, or of the actual state of morals. In latter times, under the influence of altered habits of thinking, with indeed a total change of manners, we saw the husband sue for a divorce; but might not this be as certainly occasioned by a refinement in morals as by the alleged greater turpitude of our days. The clause in the bill disqualifying the woman from marrying her seducer appeared to him to be peculiarly severe and impolitic. An unhappy female who, yielding to the weakness of her nature, permitted herself to be allured by the arts and flattering encomiums of a practised seducer, or by the rapturous and fervent importunities of a deluded lover, was by the bill to be banished society, to be driven from the protection of her friends, to be despised by all who knew her, to be doomed to a life of sorrow and of solitude, because unfortunately she suffered herself to be seduced from her duty. It did not become him to consider adultery with any other impression than that it is a crime. But while he did allow that scarce any act of man could be more criminal, he felt it to be not less his duty to deprecate all severity in the mode or measure of punishment. The House would do well to recollect, that by inflicting too severe a punishment, women are likely to become objects of pity, who should be objects of indignation. In other respects the bill was highly objectionable. It violated the principle of the trial by jury, and trenched very much on the principle of free and independent legislation. The clause making adultery a misdemeanour, would not answer the expectations of those who framed it. What induced a man to marry the woman he had seduced? Why, a sense of the injury done by him to society. But if once the law enacted so severe and mortifying a punishment as imprisonment, was it to be supposed that men who would be sent into the world like felons, men depraved perhaps by the company they mingled with in a gaol—was it to be supposed that such men would, after suffering so much, feel at all disposed to consider with tenderness the situation of the female? The bill tended, in his opinion, unnecessarily to increase the rigour of the penal laws, and to this

he was a decided enemy. Experience had shewn, that excessive rigour did not conduce to the prevention of offences. In proof of this assertion, he adverted to the frequency of capital punishments for certain crimes, which seemed to multiply in the same proportion as they were severely punished. This, it was to be feared, might prove the case with respect to the offence to which the present bill immediately applied. Instead of promoting the purposes of morality, it threatened to have a contrary effect, and, by punishing too severely, might render a return to the path of rectitude impracticable.

Mr. ERSKINE said, he was led to consider the question in reference to the present state of the law and morals of the country, and, viewing the bill in this two-fold light, he should vote for its going into a Committee. He understood that it had been said upon a former debate, that the crime of adultery had not increased of late; but supposing the fact to be as stated, this was no reason why the bill should not be suffered to go into a Committee. The supposed increase of this crime was not asserted in the preamble of the bill; nor was it necessary to enter into any investigation or proof of this, nor to go into a comparison between former and present times, for he had no hesitation in expressing that belief which he entertained with pleasure, that there was as much virtue in the mass of the people of England now, as at any former period. The preamble of the bill merely stated, that "it was expedient to make further provision for checking the crime of adultery;" and there was no one who would deny that this crime did exist to a great degree. It was, therefore, proper and becoming, that an attempt should at least be made to prevent vice and evil. As the law now stood, the crime of adultery differed from others, inasmuch as there was no direct punishment annexed to the commission of it. President Montesquieu had properly observed, that the code of criminal law in a country ought to be uniform, impartial, and universal. It was certainly to be wished that nothing anomalous might be found in the system of the law. He would ask whether an enlightened foreigner, upon making inquiry, would not naturally expect to find the crime of adultery in the criminal code of English laws? The best way for gentlemen of his profession, as well as others in the House, to consider this subject, was, by attending to the nature of a public wrong and a misdemeanour. Every public wrong comprehended in its nature a civil injury, and upon this ground it was that the crimes of murder, robbery, conspiracy, assault, and battery, were indictable offences. What was it, he would ask, that lifted up a civil injury into a public wrong? It was when

private rights were violated, or when civil injuries frequently occurred, and thus consequences were produced pernicious and dangerous to society. Wherever the repetition of such civil injury was attended with great evils and dangers, it was universally (except in the case of adultery) lifted up by the theory of the common law, or by positive statutes, into a public crime. Upon the first introduction of this bill into the House, he had been led to consider whether it was proper to regard adultery as a misdemeanour, and to punish it as such. It behoved the opposers of the bill to shew that a greater evil would be produced by making it a misdemeanour, than by leaving it as the law now stood upon the subject. He hoped that it never would be said, that a crime, such as adultery was, forbidden by the promulgated law of God, was not an additional reason why it ought not to stand as such in the criminal law of a Christian country. In making the inquiry whether adultery was a civil wrong, he would place out of view considerations derived from the sanctity of marriage, the protection of children, &c. and he would ask, whether it were not a great act of injustice, and whether any thing can be more provoking to a man, considering his wife merely as his possession, and still more as the object of his love and affection, than another man's seducing the affections of such a woman? But when the man claimed his wife, not merely as his possession, but as his in consequence of the solemnization of the marriage contract, was not that an additional reason for lifting up adultery into a civil and public crime? Such it was in its very nature; it operated to the prejudice of marriage, and to the population of a country; it broke up the happiness of families—for when a wife was guilty of this crime, the hedge of protection (of daughters especially) was broken down, and it was only when families were united that the public society could expect to prosper. Adultery had once been an indictable offence; but, perhaps, by the substitution of pecuniary punishments, the criminality of it had been overlooked. It was no good argument, that because in the time of the Commonwealth, when the nation ran into too great a rigidity of opinion in matters of religion, adultery was made punishable by death, and therefore no punishment should now be annexed to the commission of it; it was no reason, because the nation had at a former period run into extremes one way, that it should go on in an extreme the other way. It was clear, upon every view that he was led to take of the subject, that the crime of adultery ought to be found in the criminal code of the country. There was nothing in the nature of this crime but what ought to be visited with a criminal punishment. With regard to the trial by jury, he did not

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then wish to speak of it as a lawyer, nor to make a panegyric upon this mode of trial, any further than as a ramification intimately connected with the other branches of the Constitution. He could by no means admit, that by this bill the judges would be entrusted with any improper power ; or that thus putting the adulterer upon his trial before a jury, would give just grounds to dread too severe a punishment.

Mr. Erskine said, that it had seldom fallen to the lot of any person to have much more experience than he had in the courts below, in civil prosecutions in cases of adultery ; and from this experience he could not but consider it wrong that they should be regarded, not as crimes, but merely as subjects of civil prosecutions. He had frequently been Counsel on such occasions, and had found it difficult to treat the subject a-right, when he reflected that he was merely claiming a satisfaction by pecuniary damages. In fact, the man who expected to receive satisfaction for the injury he had sustained by such damages, did not deserve damages at all. The injury itself was unlike any other ; if he suffered false imprisonment, he could take the compensation which the law gave him, without being disgraced, even if he had been put in irons ; nay, he might feel a satisfaction that the justice of his country had relieved him, that his fortune likewise had been bettered, and that at the expence of the person who had injured him : but the man who could feel satisfaction from receiving damages from another who had possessed himself of her whom the former had loved, or should have loved, as his wife, a man of this description he must consider as a truly contemptible character. He perceived that the bill proposed that it should not be competent to any man to bring this charge before the Grand Jury, but the husband, who felt himself the injured person.—This was certainly an anomaly ; but, however, it was sufficient for him, standing as he then did, in his place, to say that he gave his general assent to the bill, as it made the crime in question a misdemeanour. In the trials which would take place according to it, it would be for the judge to determine in what cases the action was maintainable, and every evidence would have its proper weight. As the law now stood, the defendant came into court under great disadvantages ; it was difficult for him to get proof by the cross-examination of witnesses, so as to obtain a mitigation of damages. Every lawyer must know, that it was a very rare thing for the defendant in this way to obtain relief ; whereas, in a criminal trial, the defendant would enjoy all the same means of defending himself as were granted in other criminal actions, and therefore he would have the law more in his favour. As to the discretionary punishment

proposed to be allowed to the judges to inflict, if that be objected to in this instance, then the whole criminal code of the country must be new-cast; but surely it would be a strange time and way for doing this by opposing the Speaker's leaving the chair on the bill now before the House. The bill appeared to him to be wisely framed. If he considered it as injurious to the woman, or that she was not properly protected by it, he would be the last man to support it. If the bill passed into a law, the object would be to dissolve the marriage of the man and woman, because of the adultery of either party, and prevent them from contracting marriage, unless with particular exceptions.—Discussing this measure on the principle of universal law, he would say, that no contract, the most sanctimonious, should be entered into, founded on the very breach of the same contract, nor that the woman should go to the altar with the man who had seduced her, and this as a matter of course. Mr. Erskine said, that his experience in the courts had told him that the fault was very rarely indeed in the woman. The salutary operation of this bill would be to caution the woman against ultimate ruin and disgrace, by putting her upon her guard; and by the infliction of a greater punishment upon the guilty, the tendency would be to check the crime. We should not then see men daringly committing this crime, and afterwards going undaunted into court. The punishment upon conviction in a criminal court, which in some instances of aggravation would be severe, would beneficially affect the morals and manners of the people. Upon the whole, as he thought much good might be expected from the operation of this bill, it should have his support.

Mr. M. A. TAYLOR said, he should vote against the Speaker's leaving the chair, objecting as he did to the principles of the bill: it went to change the established rules of proceeding in this country, without any satisfactory proof of the expediency or necessity of such a measure. The honourable and learned Gentleman had asked, where would a stranger expect to find the crime of adultery in the code of the country? He would ask in his turn, where would such an one find the crime of seduction? On the same principle, if the former crime was made a misdemeanour, so ought the other. But it was singular, that whilst gentlemen were so tenacious to punish the adulterer, no punishment was proposed for the crime of seduction, for the man who might come into his house and seduce his daughter, unless the feigned action of *servitium amisi* could be so called. Were the principles of the bill extended so as to include the latter crime, he believed that half the farmers of the kingdom would be brought into the Court of King's Bench, and tried for the

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crime of seduction. But all that the law did at present was, to take care that the parish should not lose. — Into what a wide field would this bill lead the House ! He doubted much whether policy or justice concurred in their going forward with this measure. No particular reason had been assigned for the passing of this law. He saw neither its expediency nor necessity. No case had been shewn from the increased number of divorces, or the flagrancy of the crime, to induce the House to make any further provision against it. Had it been proved that divorces were now only looked upon as matters of course ? He was afraid if morality and religion had not their proper effect upon the minds of the people, acts of Parliament and severity of punishment would never answer the end. If we compared present with former times, or this with other countries, instead of libelling the age or country in which we lived, he thought we might feel proud from the comparison. This bill, he was afraid, would be of an injurious tendency to the morals of the people, whilst it would throw a lasting odium upon the existing age. Because France had done every thing against morality, was that a reason why this country should contradict the two first principles of their religion, Charity and Repentance, and give way to the methodistical cant of the times ? Besides, if severer punishments were requisite in case of other crimes as well as this, why, he would ask, select this ? If the law as it now stood, and as it appeared to him, was wise, why change it ? He entertained as high a respect for the judges as any man, but still he could not approve of investing them with the power of inflicting a discretionary punishment as proposed by this bill. Add to which, that in his opinion it would go to violate the rights of juries, whose province, as the law now stood, was to weigh and determine the quantum of damages to be awarded. And if this were a question respecting which many doubts were entertained both in and out of the House, and by many wise and able men, why should it be pressed for the House to go into a Committee before gentlemen's minds were fully made up on the case, and without sufficient proof being made out of the necessity for the measure ? In his opinion, the operation of this bill would go to screen nine adulterers out of ten. There were many cases, as the law at present stood, when in a civil action juries would say, that although the flagrancy of the crime was not sufficiently proved, they saw enough to find a verdict of damages ; but if tried as a misdemeanour juries would then require the most circumstantial and positive evidence before conviction. According to this bill, and upon the trials being prosecuted in a criminal court, the evidence of the woman with whom the adultery was committed, might be produced,

and thus such scenes would be laid open in courts of justice, as he hoped would never be sanctioned by the vote of that House.—He put it to the House to consider what effect such shameful proceedings would have in corrupting the morals of the country. He might, indeed, say in the words of a great moralist, and a celebrated Poet:—

—————“Eheu
 “*Quàm temere in nosmet legem sanctimus iniquam!*
 “*Nam vitiis nemo sine nascitur; Optimus ille est,*
 “*Qui minimis urgetur.*”—————

He begged gentlemen would consider the injurious tendency of the bill, and oppose the further consideration of it in a Committee.

Mr. WINDHAM said, that the bill had been already so much and so anxiously discussed, that he would compress the observations it was his intention to submit to the House upon it. He did not conceive it necessary to dwell any time on the importance of the measure; that was acknowledged by all who had given it any consideration. A great master of old had said, that marriage was the elementary principle of society; and this being admitted, it was incumbent on the House to consider how best to preserve that state in its integrity and purity. The first question which suggested itself in entering on this inquiry was, whether the law now proposed was necessary; and secondly, whether any change in the manners and morals of the people had arisen to require such a law? and whether, on the other hand, the measure now offered was likely to compensate for the attempt at reform which is to follow from it. He was of opinion, that the bill would not be productive of such salutary effects as some gentlemen appeared to anticipate. The increased laxity of public morals, but especially the increased cases of divorces in late years, might be owing chiefly to our increased wealth, and to another circumstance not less decisive, namely, the very great extension of that class in society known by the general description of Rich Gentry. What had been said of the harmony of the criminal code was true, as general doctrine; but nothing so loose would do to be adopted as a ground of legislation. It was objected to the making of adultery a misdemeanour, that it would cause the extension of the principle, and lead to general laws for punishing even petty moral violations. As to the law not taking full cognizance of the crime of adultery, he would just remark, that if the law on the case was not in terms a penal law, it became such by its operation. There was a fine inflicted; this was a penalty, and therefore it was a penal law. He thought that it was brought forward with-

out full consideration; it was a hasty, immature measure, which had grown up by chance. Half of it was added to a bill which was rejected, and only this half appeared to be at all concurred in generally: so that while the supplemental part was likely to be preserved, the first part would probably be lost. The chief objection to the bill was, not that the punishment bore unequally, but that it did not operate in both cases as a prevention. It was said, that in point of fact its enactments would be a penalty on the woman, while it gave a premium to the man. Other objections had also been avowed. Some gentlemen adjured the House not to deprive the woman of the means of repentance; but surely that was a strange mode of repenting—for a woman to return to the arms of her seducer. In allusion to his mother's guilt, Hamlet is made to say, that his uncle's bed was not the natural place to repent the wrong done to a father. There was, as it were, a threat held out by the woman, that if she should not be permitted to marry, she would go over to prostitution. Very few could sincerely admire this sort of sentimental affection, which terminated on the part of a woman in a determination, that if she were not allowed to marry she would go on the town; it would only do in a German play, or a chapter of a modern novel. The House would proceed on better and less sophisticated principles. But most curious opinions had been held on this subject. It was said that parties would be formed for the protection of the female, if the Legislature did not protect her by sanctioning marriage with her seducer. He could only answer to this by observing, that the effect of such a combination must be rather to sink those who enter into it, than support those on whose account they coalesce. With regard to marriage itself, he would not however dissemble, that he considered it a matter in which laws would do least, and manners most to protect it. The last clause, however, which prohibited marriage, was capable of infinite modifications. There was an argument which had been used on the whole of the bill, which he would briefly notice. It was said that the House could not consistently refuse to go on with the bill, because it came recommended on very high authority from another place. Now against this argument there was a set-off, which in his mind afforded a complete answer, namely, that if such a principle were adopted, it would be to deny the House the right of legislation. He concluded by expressing his wish that the bill might go into a Committee.

Sir WILLIAM SCOTT began by observing, that he was fearful his speech on a former occasion, as it related to the subject which now called for the attention of the House, had been misun-

derstood. He had compared the present state of morals with that of past ages, and, after a minute and candid investigation, was not inclined to go the length of saying, that the morals of the people were worse now than they were in former times. He had heard it stated, that divorces had increased in number to a considerable extent, from the beginning of the present century in particular. For his own part, he entertained the same notion now that he had expressed on a former night upon this subject. He could not say that divorces had considerably increased in the course of his experience in the ecclesiastical courts, which was between twenty and thirty years. He would take this occasion of correctly stating the number of sentences of separation that had in his time been given in those courts: they were—

From 1770 to 1780 44

—— 1780 to 1790 23

—— 1790 to 1800 52

Without entering into a very long and complex reasoning, it appeared to him, that the increase of adultery was (speaking at least in a probable manner) to be traced to the increase of wealth, to the increase of the habits and gratifications of luxury, and to the various additional opportunities which offered for the indulgence of sensual propensities. When he took an impartial view of the causes and the effects, he could not help saying, that he was apprehensive no legislative provisions, however wisely framed, however attentively considered, could effectually prevent a crime that operated in the most destructive way upon the peace and happiness of society: yet, though no positive ground could be stated, that the present measure would prove adequate to an object so truly desirable, he could undertake to say, that if it was but likely to correct the evil to a certain degree, no man could in that case oppose its adoption. It had been said that adultery was a crime; if it were really so, he wished to know how it was to be prevented by the existing laws? It was evident that adultery was not recognized by any statute law whatever as a crime, nor followed by any specific punishment. He would also contend, that the civil law had enacted no punishment against it; and, tracing it in every possible line, he found that it was known to the ecclesiastical law only as a crime. By that law, it certainly might have been punished; yet the punishment was so severe, that it was disused, and became indeed, from the change of manners, altogether inapplicable. “Before the Reformation (said Sir William) there were no divorces in Parliament—and for the reason I have before given; but were there no adulteries? Were there no proceedings in the ecclesiastical courts—*adulterii causæ*?

I should think from some circumstances, that in those times there was occupation enough in those courts of that species. After the Reformation, for above one hundred years there was no proceeding in Parliament for divorces—and for a reason I have likewise given. But the ecclesiastical courts were entertaining suits of that nature. After Parliament had very reluctantly entertained such applications, the public came in very slowly; for the prejudices of the country continued strong against the total dissolution of marriages; and it is not till within these thirty years that those prejudices are worn away (though not yet totally extinct), and that applications to Parliament have become frequent. But the ecclesiastical courts were in the mean time open for separations *à mensa et thoro*; probably not in the number now received, since Parliament made a proceeding in the ecclesiastical court absolutely necessary; because private separations could, in general, answer the purposes of a husband nearly as well as the separation by sentence; and there is just reason for thinking, that the ecclesiastical court was principally resorted to by women complaining of the infidelity of their husbands, and for compelling the payment of alimony in a state of separation. But suits were certainly entertained on the part of the husband, where he was determined to allow no subsistence to a delinquent wife, and no private agreement could be established; and I presume that such suits were much more numerous than those which appear in Parliament.” Sir William went on to observe, that the husband, who had the power of the purse, could separate from the wife without any aid of the ecclesiastical authority; but the wife could not enforce maintenance from the husband without such aid. This was the reason why the applications to the ecclesiastical court were more numerous for the wives than the husbands; and this he had thought it necessary to say, by way of explanation of what he had said on a former occasion, when this subject was before the House. That there had been some increase in the number of adulteries in modern times, might be true, but not more than was the result of the increase of population, and the increase of wealth, which latter now enabled parties to sue for divorces, who in former times were deterred by the consideration of expence. The additional frequency, therefore, of these cases being brought before the view of the public, was not, in a moral point of view, to be called an increase of vice in society at large. However, as adultery was a great evil in society, if the provisions which the law made against it were found inadequate, no man could deny that the Legislature was called upon to consider of some better remedy than that which is admitted to be without effect. He was therefore clearly of opinion,

that it was the duty of the House to proceed to the consideration of a bill which prohibited the offence, and was calculated to prevent its progress. With respect to the part of the bill which prevented the marriage of the offending woman with the adulterer, that was a clause on which he had heard a great variety of opinions; if that clause stood alone, he should feel a very strong reluctance to adopting it; but he was of opinion, that the other part of the bill threw a corrective into the scale, and, therefore, looking upon the state of the law, and thinking that, in many respects, alterations in it were absolutely necessary, he should vote for the Speaker leaving the chair.

The ATTORNEY GENERAL said, that he entertained very great respect for the framers of the bill; but it was still obvious, that it had been framed with one view, which pervaded the whole of the measure, and he felt no hesitation in declaring that it was in his mind an incomplete and hasty proceeding. The object of the bill was to punish adultery, and to regulate divorces. He certainly could not object to any just punishment that went to correct a crime of such depravity. But as far as the bill went to regulate divorces, it appeared to him to trench upon the privileges of Parliament. When it was viewed in all its probable relations and effects, the consequences would be found to be, that the bill would necessarily interfere with that harmony and perfect accordance in the criminal code, so essentially necessary to be preserved for all the purposes of right legislation. Having delivered his general sentiments respecting the measure, he would, however, admit that much might still be done in the Committee to render the bill salutary in its operation; and he therefore should not oppose the Speaker leaving the chair. An honourable and learned friend of his (Sir W. Scott) had said that adultery was not known to any law as a punishable crime, except in the ecclesiastical courts; but his honourable and learned friend would be of a different opinion if he would look into the codes of the northern nations, as well as the antient system of this country. He would there find it had been punished severely, and with a cruelty which was not warranted even by the nature of the crime. His honourable and learned friend might therefore perceive, (and it was for that purpose he mentioned it,) that the crime was punished by the civil law. When indeed Christianity had succeeded in making a very considerable progress, and the papal power had acquired great influence, the first code was changed, the original punishment was altered, and there was introduced into the ecclesiastical law the measure of punishment with which the crime was afterwards to be affected. That measure of

punishment gradually lost its efficacy, and finally dwindled into insignificance. He concurred in opinion with an honourable and learned gentleman (Mr. Erskine), who had said, that many of the objections to the bill might be removed by inserting a clause to prevent both parties from marrying without a special clause in the act of Parliament by which they were divorced. Having offered these short observations, he should only add, that with respect to the clause which rendered adultery a misdemeanour, he was decidedly of opinion that it ought to be made a misdemeanour in the husband as well as the wife. He thought also that there should be some provision for examining the husband and the wife upon this business; but upon that subject there was very considerable doubt, and it was worth while to go into a Committee upon it. Making this offence a misdemeanour was only restoring the old common law, by which he here meant the old Saxon law. In short, this bill contained matter of the first importance; disposable, as it seemed to him, in a Committee only, and therefore he should vote for going into that Committee, without however pledging himself not to oppose the third reading, if after all he should find the bill such as he could not assent to.

The MASTER OF THE ROLLS said, that the real object of the bill was misunderstood. It was said, that it was intended to inflict a severe and unjust, and cruel punishment upon the female, and to subject the man to an arbitrary and oppressive penalty. The object of the bill was neither to impose penalty nor punishment, but to lessen the frequency of the crime of adultery, the most detestable crime, and the crime the most destructive of the peace of society of any that existed. Whatever might be the means to be employed, this was the sole end in view. Whether adultery had increased or not, after what had fallen from several honourable and learned gentlemen, he would not take upon him to determine; but certain he was that the number of divorces had increased to an alarming degree. Before the reign of George II. the number passed was inconsiderable; in that reign 24 had been passed; in the present 99. The House would do well to pause for a while, and consider the propriety of this system. Adultery surely was a great crime; yet it was now only punishable by civil action, a mode of punishment altogether inadequate for such an offence.—The jury, from detestation of the crime of the seducer, often gave vindictive damages to the husband. This practice had the worst consequences, as the husband might now sell his wife's honour for a piece of money. There was no doubt that husbands often connived at the misconduct of their wives, from the hope of being en-

riched by the damages they were likely to receive. Would any one say that that was a good system which gave rise to such enormities? Again, it very frequently happened that the damages were not exacted, and the adulterer escaped unpunished. Divorces too were granted when they ought to be refused, as the husband intimidated the wife from disclosing his misconduct, by threatening to act harshly to her paramour. At present, things stood in that monstrous situation, that persons might free themselves from the bond of matrimony by their own delinquency. If it had been foreseen that this abuse would have arisen from granting divorce bills, he was confident that they never would have been granted. They were but of modern date, and of still more modern date was the custom of allowing the adulteress to re-marry. He did not by any means say that such a marriage was illegal, and he was sorry that such a question ever had arisen. If any doubts were entertained, he would be happy in concurring in any measure for removing them. At present, a man might pay his addresses to the wife of a virtuous husband, and the mother of a numerous family, with equal confidence as if he were addressing a young lady who never had been married. Many other evils might be mentioned; but these were sufficient to prove the inefficacy of the present laws, and they ought to be amended. The provisions of the present bill he thought extremely well calculated to correct these abuses; and when it came out of the Committee he trusted that it would be altogether unobjectionable. He would not go so far as to say, that a divorced woman should not marry under certain circumstances; but that the Legislature should keep in its hands a discretionary power. He intended to propose some amendments to the bill, should it go into a Committee; and one clause would be, that the delinquent party should not again marry, unless authorised by a clause in the act of divorce itself. He would further propose, as a relief for the unfortunate woman, that out of the fine which should be paid in the public court, the court should have a power to apportion such part for her relief as it thought proper. The bill then, so far from bearing hard upon her, would operate for her relief and comfort. As the regulation now stood, his learned and honourable friend must pronounce the sentence of a separation without granting any support; but then part of the fine would be apportioned to her sustentation. So that from this bill there would be no cause to complain, and her situation would be a warning to others not to offend.

Mr. WILBERFORCE observed, that it was unnecessary for him to say any thing concerning the importance of the subject before the House, as its importance had been admitted by all who had

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spoke on it. The question for the consideration of the House was, whether the crime which was the subject of discussion had arisen to such a height as to require legislative provision? It could not be denied that it was a crime which attacked the first germ of civil society, and every thing that tended to protect the happiness of mankind. The author of our most holy religion had denounced this crime, and had dwelt upon it more particularly than upon any other. Marriage was by no means merely a civil contract; the state had a right to prescribe the ceremonies by which it should be contracted, but it was sanctified by religion, and was on that account more, holy, and ought to be more indissoluble. Since the beginning of time, no institution had been devised so well calculated to promote the happiness of man, and it ought to be regarded with the greatest respect and reverence. In this light it could not long be viewed, if the present system were continued. Could it be made a question, that that should be made a crime in the code of English laws, which was already a moral offence of so deep a hue? If he understood the lawyers right, there was not at present any penalty annexed to this crime. But it had been stated by an honourable gentleman, that although there was no direct penalty, yet there was one practically, because the adulterer paid in damages to the husband what amounted to a heavy penalty. This circumstance was with him one great argument in favour of the bill, because he considered it improper that a penalty for a public offence should be paid in the shape of damages to an individual. A case might exist where the crime should be consummated, yet where no penalty in damages could be inflicted. Suppose the case of a negligent, careless, and indifferent husband, ill treating an amiable wife, while she was endeavouring, by the most persuasive of all eloquence, or continued love and kindness, to reclaim him: suppose then, that an artful seducer should step in between her and the accomplishment of this desired object, and, by aggravating every fault of her husband, should induce her to deviate from the paths of virtue and the line of her duty. Would any one say, that this was not the most guilty of mortals? Yet should the husband bring an action against him, it would be said with justice, that the plaintiff was a careless, debauched, and profligate scoundrel, and that he ought to be non-suited. He could with ease state many other cases, where there was a loud call for punishment, yet to give damages would be improper. It would be no difficult matter to shew why adultery was not reckoned a crime by the laws of England, and why our laws, whose excellence in most particulars is unrivalled, are so deficient in what regards the interests of morality.

But he would delay entering upon these topics till a future opportunity. We were now exactly in that state when a bill of this nature was necessary, and if we delayed much longer, it would be altogether ineffectual to stem the torrent of corruption. The principles of the people were still good, though their practices were beginning to be very immoral; and it was well known, that bad habits would ruin the best principles that were ever entertained. Our wealth had greatly increased, and had occasioned a corresponding increase of luxury, directly tending to introduce licentiousness of manners, and some regulations were now indispensibly necessary to counteract this tendency. The science of morals was now better understood than in any former age, and propriety of character was more accurately marked; but it by no means followed that our actions were correspondingly laudable. Morals were formerly founded on religion; but the morality of the present day seemed to consist in a propriety of character, and a decorum of deportment, founded rather on the consideration of character than of religion. He would not deny but that in the reign of Charles II. there existed a most licentious Court; and he could not omit this occasion of paying a just tribute of applause to the bright example which was exhibited by the Court of the present day, and which, he was convinced, tended more than any circumstance to produce that moral decency so characteristic of these times. He therefore thought the present the proper time to pass the bill before the House, because the moral principle had not yet been corrupted. It was by no means the case that the bill had owed its origin, as had been represented, from accident, or the reveries or vagaries of any individual. It had been introduced upon due deliberation by an able statesman, who, having retired from the active scenes in which he had formerly been engaged, had employed his leisure in promoting the interests of that country which had so properly rewarded his merits. He thought the proposed punishment by no means too severe for the offence. Hitherto the adulteress had been rewarded for her breach of the marriage vow, and there were many reasons which conspired to shew that the intermarriage of the parties should be prohibited. It was the duty of Legislators to enact laws the best calculated to promote the present happiness of mankind. Even in this point of view it was very short-sighted to allow an opiate to be administered to the woman who has been guilty of such a crime, and to allow her to return to society to indulge in luxury and licentiousness, and to corrupt those around her by precept and example. He was greatly alarmed when he heard honour spoken of as contra-distinguished from honesty. This was false honour, the most dangerous of all principles.

Against such principles he entered his strongest protest, as he never saw them acted upon that misery was not the consequence. No longer therefore let it be allowed that a man should, in defiance of religion and morality, attempt to alienate from her husband the affections of a wife, and say, that, because he intends to marry her, his conduct is honourable. It had been stated, that if the bill should pass, the number of adulteries would be increased, as the debauchee would then be more ready to prey upon the spoils of innocence, when there was no possibility of his being obliged to marry the woman he has seduced. He himself did not believe that the human heart could be so hardened, nor the moral principle so debased. But would not the removal of this restraint be much more than counterbalanced by the ignominy which would attach upon the seducer, and the punishment he must expect to undergo? Besides, the race of those who were called Men of Pleasure was nearly worn out; and he trusted there were no debauchees now existing, who possessed such selfishness of mind, and hardness of heart, as willfully to reduce an unfortunate woman to misery, ruin, and infamy. He would gladly give his vote for going into a Committee, because, as he did not entirely agree with any gentleman who spoke on the bill, he wished to have an opportunity of proposing some amendments. He considered this subject of much more importance than any question about peace or war, or any constitutional question; for, although the latter might have some remote influence on the comforts of families, yet the question then before the House went to the inmost recesses of domestic happiness; it went to the very foundations of civil society; and if the crime was suffered to go on unchecked, nothing would have a greater tendency to destroy the whole fabric of society.

Sir FRANCIS BURDETT JONES said, that the person convicted of having been guilty of adultery was already punished severely, by having monstrous and vindictive damages awarded against him. When this punishment had not operated as a preventative of the crime, how could it reasonably be expected that a punishment still more severe would operate in preventing it? It had by no means been made out that the state of the morals of this country require any such expedient. Adultery was no increasing evil in the present day; and even if it were, he would object to all legislative interference; as all endeavours to strengthen the bonds of matrimony, and to draw them tighter, tended only to weaken and render more uncertain that connection which ought to depend on far other securities. This was a bill, which, instead of answering its professed purposes, would chiefly tend to prevent matrimony, by surrounding

that state with consequences and penalties altogether disgusting. The more a woman was put under legal authority and restraint, the more unamiable must the husband appear for whose sake the laws were enacted. Statutes might surround, but could not protect, the virtue of women. No man could be sanguine enough to suppose, that if the present bill were passed into a law, the crime of adultery would be prevented. Secrecy would be substituted in the place of reformation, and the laws meant to better, would be found only to undermine public morality. As a punishment, the provisions of the bill were totally inadequate. The clause which constitutes adultery a misdemeanour, does not prevent that collusion taking place which is able to render the law quite ineffectual. A person might make it worth the while of another to undergo the charge of adultery, and accomplish in this manner the very purpose the bill was meant to prevent. The bill would open therefore a door of fraud instead of preventing ruin, and make man and wife voluntary evidences against each other. Another objection to the bill was, the discretionary power it put into the hands of judges. Discretion did not always mean what was understood by it in a popular sense. Discretion in law was limited by precedent; but in the case of adultery there would be no limits, no landmark, by which the decisions of justice could be regulated. If the marriage of the offending parties was prevented, in many instances they would continue to live with each other on terms less honourable and more injurious to society. A liberal-minded man, not able to make the best atonement to the victim of his illicit enjoyments, would not, however, consign her to irretrievable reproach. The case would then be, that women, respectable for other virtues than those of the strictest chastity, would, by the splendour of their talents and accomplishments, form a third class in society, between the abandoned and the virtuous, not undeserving the notice and commendation of the world. This circumstance, above all others, would tend to confound the idea of right and wrong, and was the fair and probable result of the principle of the bill. In most cases the cause of adultery originated in the husband, and not in the woman; but the punishment annexed to the crime chiefly applied to the woman, which could not be just. It was no instructive sight to the young, when they saw women possessed of a considerable share of respectability living with men without the sanction of marriage. This, however, would be one of the consequences of the bill. To marry the person with whom she had offended, and to behave well in a new connection, was the only mode of reparation to society by which an unfortunate female could hope to recommend herself again to notice, and re-

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cover her lost reputation. It was idle to think of excluding amiable and accomplished women from society ; and if they were not allowed to re-appear as the wives of their seducers, they would certainly re-appear in a much worse character, and would do infinitely more mischief by their re-appearance. It was far from true, that a woman did not now, in any degree, deteriorate her situation by being guilty of infidelity, if she is married by her betrayer. Did she not lose the society of her friends, the esteem of her family, the affection of her children, the consciousness of rectitude ? Were these deprivations not a sufficient punishment for her offence ?—Would others, from her example, be induced to imitate her conduct ? In fine, as no benefit would be produced by the bill, as it would be the occasion of many evils, and as it was altogether inadequate to answer the ends it had in view, it had his most strenuous opposition, and he should vote against the Speaker's leaving the chair.

Sir RALPH MILBANKE contended, that the laws as they now existed were fully sufficient to repress the growth of the evil, if indeed it was increasing, of which he doubted. Whenever it came under the lash of the law, it was well known that it was punished with very heavy damages ; and if not duly paid, the person against whom they were given was liable to arrest, or obliged to leave the kingdom, and often exposed to risk his life. The system now proposed was of a harsh, unfeeling tendency ; it tended to cast a frail unprotected woman on the mercy of the world, and to shut her out from all decent society. In such uncalled-for severity, he could never be brought to acquiesce, especially as he could not see that the evil was growing into the magnitude into which some gentlemen seemed disposed to exaggerate it ;—never should he consent to alter the mild and equitable spirit of the law of England, unless such alteration was obviously called for by some urgent and imperious necessity. No such necessity existed at the present moment, and in the present case ; he therefore felt it his duty to oppose the further progress of the bill.

Mr. BASTARD was not much disposed to prevent the bill going through its regular stages ; it might, perhaps, come out of the Committee a new bill ; but still he could not see that it would answer the purposes of the framers of it ; it left to the husband alone the power of prosecuting, while the husband perhaps was often, nay, he might say, almost always the original cause of the vice, by absenting himself from home, and spending his time in gaming-houses and worse sorts of dissipation, while he should be attending to his

domestic duties. Men had already the power of coercing their wives sufficiently : they might therefore shield them from this crime by watching and protecting them, and doing their duty as they ought to do. Indeed, the whole mischief arose from a man and wife having separate amusements : the wife went to the Opera, the husband to a Gaming-house, &c. For his part, he was against leaving it to the caprice of an individual to punish the crime of adultery, if it was to be made liable to severer punishment. As to the clause for preventing the parties from marrying, it appeared to him to be altogether nugatory. There would be much fewer examples of adultery, if the offending parties were compelled to marry ; if the man knew that he should be obliged to marry the woman, he would pause before he committed the crime, and not risk such consequences. He must therefore express his disapprobation of the bill as it now stood.

Colonel ELFORD was of opinion the bill should be permitted to go into a Committee.

Sir G. P. TURNER objected much to what he called the abominable clause, and could not consent that it should form any part of the bill. If the bill had been calculated at all to prevent the crime of adultery, which he much disapproved of, he would have been the last person in the world to have objected to it ; but as it stood in its present form, he thought it highly objectionable. Something was necessary to be done to abolish the crime against which the bill was intended, but in a less exceptionable manner.— If the present clause stood part of the bill, it would increase and not prevent the mischief complained of. Laws were intended more to prevent than to punish crimes, an intention that was humane and commendable ; but when he saw enactments so cruel as the present ones, and so peculiarly oppressive to those from whom every human being derived his existence, he could not but object to them. For humanity's sake, it was necessary for the House to shew itself tender and friendly to the authors of their birth. If the crime of adultery required any punishment for its prevention, a better one could not be found than making the adulterer marry her whom he had seduced. This was a circumstance which, of all others, perhaps he would wish to avoid. Adultery indeed was a heinous crime, subversive of all domestic happiness, and the best means of punishing it should be found out. If, however, according to the present bill, the adulteress was not suffered to marry her seducer, she would be cast out into the streets, she would become a vagabond, and her very children would point at her as she went along.

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Suprema citius solvet amor die.*

Mr. SHERIDAN.—“ There is no man, I am persuaded, Sir, in this House who is not ready to agree with me, that this is a subject which deserves to be gravely and maturely considered. I am aware too, that when professions are held out, that great alterations may be made in a Committee upon any bill, it is not the most favourable time to rise in opposition to that bill before it goes into such Committee ; because it may be said to those who so oppose it, that the very points to which they object may be those which it is intended in the commitment to alter and amend. Sir, I shall very much regret if another opportunity shall be afforded for going into the discussion of such a bill as the present ; but if there should be, I shall certainly state my objections to every part of it more at large than I shall think it necessary to do at present. The question now before us is, whether we shall go into a Committee ? To this proposition it is wished that the House should be induced to accede, by the hope that the alterations which may be made may render the bill more acceptable and more moderate. Now, Sir, I take upon me to assert, that no gentleman who has spoken upon the subject has held out any grounds at all to make us believe that such can be the result. We have heard from some, that the law is not to be as it is ; from others we have heard sketches of clauses ; from others we have heard general outlines and opinions ; but all who have spoken have shewn that the bill cannot pass in its present shape. Sir, that the laws with respect to adultery ought not to remain as they are, may be true. But what I contend is this, that it has not been proved that any great or general review of the subject can proceed from such a bill as this. That, upon maturer consideration with the Reverend Prelates, something better may not be produced, I am not prepared to deny. But there appears to me to have been an evident improvidence, a shameful negligence, on the part of the authors of this measure. It seems as if it had been produced in scorn and contempt, and in defiance of all knowledge and experience. It ill became the authors of it to pass by that first and greatest authority, of whose assistance they ought to have availed themselves. But the bill comes to us in another way. I know that it is not parliamentary to allude to what passes in another House ; but I shall contend that a bill which comes to us by an unanimous vote, or by a large majority in its favour, would come with a greater weight than one passed by a very small majority.—

Recollecting then all these things, we cannot, I contend, be accused of impropriety or presumption in saying we will pause where we are, and oppose going into a bill which appears to us so utterly incorrigible. But there are one or two points upon which I wish to make some observations. When any measure is proposed to a legislative assembly, there are three questions which a prudent legislator will ask himself: first, Whether the measure is necessary? second, Whether it is likely to be efficacious? and, third, Whether it is likely to produce greater evils than those which it is meant to remedy? I will pass by the two last, and proceed to the first. Is the present measure necessary? What! will you extend the penal code, and not prove first that the crime which you propose to punish has increased? Mischievous indeed must be the consequence. But, Sir, in point of fact, and in fairness of reasoning, the crime in the present case, so far from having increased, has been proved to have diminished. The learned gentleman opposite me, in going over a period of thirty years, tells us, that in the first ten there were forty-four divorces, in the second ten twenty-three, and in the third ten fifty-two. But to form a right judgment, we must compare the increased number of marriages, the increase of population, and undoubtedly the increase in wealth of the country. The fair inference to be drawn from this comparison will then be, that the crime has diminished. But, says an honourable gentleman, it is not proper that the crime should exist at all; true: but what I demand from those who argue in favour of the present bill is, to shew me that what they propose to remove has not operated as a check upon the commission of the crime. This substituted law of honour, which induces the man to marry the woman he has seduced, has been strongly inveighed against; but I desire those who so inveigh against it to shew me whether it has not been one of the causes of the crime having diminished. Will the removal of this law decrease it? Sir, what I complain of most is, that what is now proposed is all matter of experiment, and that such a proposition, when the crime has been proved to be diminishing, is, to say no more of it, extremely desperate. The honourable gentleman opposite me thinks it an evil that men should set up this law of honour, and he prefers open and avowed vice. Sir, I should think strangely of the morality and honour of that man who, having seduced a married woman, should afterwards scoff at her credulity, leave her to shame and sorrow, send her out an exile and a wanderer, and abandon her to all the horrors of mockery and insult. I should say to him who prefers that kind of morality, that he ought indeed to have a great stock of religion in his heart to reconcile such principles and prac-

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tice to his conscience. I should say, that such conduct was a grosser violation of all moral feeling, than the very act of adultery itself. The honourable gentleman has urged with great truth the obligations the country is under to certain illustrious personages, for the example of domestic virtues which they have uniformly afforded. Is it not true too, I would ask, that the women of this country were never more correct in their conduct than at present? Is there any man, I would also ask, who, when it is attempted to be contended that the days of Charles the Second were purity to these, does not know that assertion to be an untruth? If that be the case, is it no slight thing to throw out this unmannerly and unmanly slander upon the morality of the country? Is it nothing to hold forth that the example which the illustrious personages upon the throne have for so long a period afforded has produced no good effect; and that, instead of having been attended with any beneficial consequences, we are forced, after a period of forty years, to make a law to stop the progress of adultery? The honourable gentleman has described a husband treating his wife ill, and has added, that if a seducer had not intervened, the wife, by her gentleness, her meekness, and her virtues, might at last have reclaimed the husband. Sir, that there would be frequent examples of this forbearance and perseverance on the part of the wife, I am not yet prepared to admit. But the honourable gentleman says, ought not the seducer to be punished? Yet he cannot be, if this ill usage is proved against the husband. Sir, I will not answer, whether the seducer ought to be punished, because I contend that he cannot be under this bill. A learned gentleman has talked of exemplary damages being given. I do not pretend to be much of a lawyer; but in my opinion, talking of exemplary damages in civil actions, is talking exemplary nonsense. Who told juries that they were to be the *Custodes Morum*?—I will not surmise who pressed this into the minds of juries, but he who states this doctrine is responsible for the effect it produces. Sir, I know it will be said that these objectionable parts may be removed in a Committee—and this is what I complain of, that these bills come to us in a shape so little resembling that in which they are to pass, that, like the crafty tyrant in Shakespeare, they may say to us—

‘Judge not by what I am, but what I shall become!’

Sir, a judge may think it proper to tell a jury, that twenty thousand pounds, that a whole fortune is not sufficient to repair the injury a husband has sustained—A jury, however, may think otherwise; and only give two. The same man may afterwards by the

present bill come under an indictment before the same judge, who may deem it to be his duty to make up for this supposed deficiency on the part of the juries, and this is one of the evils which this bill may tend to produce. A learned friend of mine, who has argued in favour of the measure, has talked of the harmonious whole—but what is the fact? Is there not this anomaly? The seducer is only to be prosecuted by one individual; and who is this individual? the husband, who in other parts of the bill may be supposed to be in collusion. How many years of solitary confinement the seducer is to be punished with, we are not told; but, on his trial for the misdemeanour, he calls in the husband to cross-examine him with respect to his treatment of his wife; to go over his whole life from the commencement of his marriage, to question him relative to every part of his conduct. The result of this will, I contend, be such a disinclination, that few husbands will consent to put themselves in a situation to proceed to such indictments; of course then there can be no divorce: but if he does proceed to an indictment, and the seducer should make out that the husband has afforded provocation to his wife; in that case there can be no divorce. Here then will be this strange case. The public wrong will be proved, the adultery will be proved; the seducer, however, will not be punished, the wife will not be punished; and where then will be the harmonious whole? Sir, my objection to the measure is, that it is dashing rashly and desperately at experiment: and is there any man, I would ask, who would consent to change the morals of our countrywomen for those of the women of any other nation in the world? I say then, Sir, that the bill is unnecessary; I hope it will not be suffered to proceed to another discussion; but if it does, I shall go into it more at length, and I pledge myself to shew that the principle of it is bad; that it will be unjust in its operation; that it is cruel, unchristian-like and severe, and in an inverse proportion to the degree of guilt; that it is hostile to the doctrines of the Protestant church; and that it is calculated to increase that evil which it proposes to remedy. For these reasons, Sir, I give the bill my most hearty and decided opposition.”

Mr. WILBERFORCE rose to explain. He denied that he had uttered any thing to justify the inferences drawn by the honourable gentleman who had just sat down, or that any expressions had escaped him tantamount to that attributed to him respecting the situation of the unhappy female who should be the victim of adultery. He repeated his censure of that species of moral forgery which, under the name of honour, would confound the meaning of common honesty.

The House divided, when the numbers were, for the Chairman's leaving the chair, 104 ; against it, 143.

Wednesday, June 11.

Mr. Chancellor PITT presented a copy of the Address of both Houses of the Irish Parliament to His Majesty, stating their assent to the countervailing duties ; which was brought up, read, and ordered to lie on the table.

Mr. Chancellor Pitt then stated, that this address only related to part of the countervailing duties ; that some others had been added, which, in point of fact, it is known that the Irish Parliament have also agreed to ; and that as soon as their assent was officially notified to the House, it would be his duty to bring in a bill for carrying the Union of the two countries into effect.

A petition was presented for encouraging a discovery made, of means of taking ink out of paper, so as to make it again serviceable, which was ordered to lie on the table.

The bill to explain and amend an act of the 31st George III. imposing penalties on certain persons therein mentioned, and for regulating the residence of Papists in this kingdom, was read a second time.

Sir H. MILD MAY moved, that it be committed for Tuesday next.

Mr. SHERIDAN wished that gentlemen would state some grounds on which they proposed to alter old laws and establish new ones, before they called the House to consider of the alterations which they proposed to make. He had heard no grounds stated for the introduction of this bill, which seemed to him to violate the principles of toleration ; and therefore he must oppose its commitment.

Mr. Chancellor PITT said, that the honourable Baronet had stated grounds for the introduction of the bill which had been satisfactory to him, and, he believed, to a great majority of the House. He was as unwilling as any man to infringe on the principles of toleration ; and, had it appeared to him that the measure proposed contained any such infringement, it would have met with his opposition ; but it could be no breach of toleration to prohibit a practice in a Protestant country which was inconsistent with its Protestant establishment ; and it was even necessary that an offensive publicity should not be allowed to certain establishments and acts of the religion of the Church of Rome, which would revive a jealousy now almost extinct in the minds of the people, respecting that reli-

gion. It was even necessary for the Papists themselves, that they might know upon what terms their residence in this country may be secured.

Mr. HOBHOUSE said, that he had no intention of entering upon the discussion this evening, since it seemed to be agreed that it should be postponed until Tuesday next; but he could not avoid saying a few words in contradiction to the statement of the right honourable gentleman. He (Mr. Hobhouse) was present when the honourable Baronet opened his motion, and would be bold enough to declare, that no grounds were stated to justify the introduction of this bill. He had expected the honourable Baronet to have informed the House in what degree these monasteries had increased within a given number of years, and to have enumerated the instances in which the Roman Catholics of this country, as well as the Emigrants who are Papists (for this bill confounded both in the same accusation), had taken children of Protestant parents into their schools. The honourable Baronet had communicated no such information: indeed he had confessed it was a measure for the sake of preventing, rather than removing an evil. If the honourable Baronet could adduce nothing stronger in support of the bill than he had hitherto done, he (Mr. Hobhouse) should certainly continue his opposition to it.

Sir H. MILDMAY said, that the reason why he had not stated facts as the grounds for introducing the bill, was, that he might not create alarm in the public mind; but he certainly was in possession of them. The notorious fact, however, of the existence of forty monastic institutions in this country, and a great number of schools for the education of indigent children, which were under the inspection of Catholic teachers, were, in his opinion, sufficient grounds for the House entertaining the bill.

Sir W. YOUNG said a few words on the same side.

The bill was then committed for Tuesday.

The MASTER OF THE ROLLS brought in a bill for regulating Executory Devises; which was read a first time, and ordered to be read a second time on Friday next.

The order of the day being read for the House to consider the recommitted bill for the better settling of disputes between the masters and mistresses of families and their menial and domestic servants,

Mr. D. P. COKE moved, That the Speaker do now leave the chair.

Mr. JOLLIFFE said, that he highly disapproved of the bill, and was convinced, that, if passed into a law, it would be attended

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with the worst consequences. It was strange that the honourable gentleman had stated no reason for adopting a measure which was so universal in its operation, and the effects of which would be so very important. The bill would be prejudicial both to masters and servants. What could be a greater hardship than to be obliged to go before a magistrate at whatever distance he might reside? There was no similarity between domestic servants and servants of husbandry; and to settle the disputes arising between the former and their masters, the justices must be altogether incompetent. The magistrates might be sufficiently good judges of whether a ploughman took proper care of his horses, and did his work properly in the field; but to determine disputes between a mistress and her maid, whether the dairy was properly attended, or whether the kitchen and *other utensils* were kept clean, it would be necessary for them to summon a jury of matrons. His chief objection to the bill, however, was, that it encroached upon the trial by jury, and changed the mode of administering justice in the country. It was no new measure; it had been proposed ten or twelve years ago, when he heartily disapproved of it; and the more he had thought of it since, its impolicy had appeared the more glaring.

Mr. BUXTON said, that great inconveniences were found to arise from the present laws with regard to menial servants; and he had no doubt that the bill would prove a remedy to many of the worst of them. The advantage accruing from it to servants would be great, as they would have it in their power to recover their wages without a long, troublesome, and vexatious litigation.

Mr. SHERIDAN said, that servants, when they behave themselves well, were entitled to protection; and he could not approve of a measure which left their disputes to be determined by magistrates, who were in some degree interested, as they themselves had servants. There was nothing in common between domestics, and agricultural servants, whose neglect or inattention might injure the property of those by whom they were employed. At present, either party may give warning; and if the master did not choose to continue the servant in the house, he might get rid of him by paying the additional month's wages; or if the servant did not choose to stay after giving warning, he might give up the month's wages, and depart when he pleased. Masters had already a sufficient controul over the behaviour of their servants, as by refusing them a character they might deprive them of their bread.

The ATTORNEY GENERAL also expressed his disapprobation of the bill in general, though he would not object to similar regulations in regard to shopkeepers in the country, who had an in-

terest in the conduct of their servants, and kept them for purposes different from the mere convenience of their families.

Mr. COKE replied, that one of the leading objects of the bill was in fact the protection of servants, by giving them a summary mode of recovering their wages when they could not do so by the usual course of law. Of this, many instances occurred to him as a magistrate, on servants coming to complain of not being able to get their wages of, perhaps, ten or twelve pounds. When he told them he could do nothing for them, they asked him how they could recover it? To this he could only reply, that they might do it by a suit of law; but to that he could not advise them, as he knew they must lose by it. He meant also to propose a clause in the Committee, enabling magistrates to commit masters, but not in the first instance, for non-payment of wages, as well as servants for misconduct. It was well known, that there were swindlers and impostors who made an appearance, and some even who kept carriages, yet had no property whatever; what he should propose in these cases was, at first to grant attachments against the effects of those masters, and if none could be found, to make out warrants to commit them.

Sir W. GEARY remarked, that Mr. Sheridan's observations about magistrates having servants themselves, would be applicable to any case that was left to their decision.

Mr. SHAW LEFEVRE defended the bill; and after some further conversation, the House divided on the question for the Speaker's leaving the chair, and there not being forty members present, of course adjourned.

Thursday, June 12.

Nothing material occurred in either House.

Friday, June 13.

The LORD MAYOR of London presented a petition from the journeymen and workmen residing in and about the cities of London and Westminster; setting forth, that, during the last session, an act passed to prevent unlawful combination of workmen; and that it is therein declared illegal directly or indirectly to attempt to prevail upon any journeyman or workman to quit the service in which he is employed; and that the said act, by the use of such uncertain terms, and others of the same nature, has created new crimes of boundless extent, to which are affixed fines, forfeitures, and imprisonment; and that, amongst the crimes created by the said act, the breach of a

private contract, by refusing to work when hired, is enumerated as one, and made punishable by discretionary imprisonment for any time not exceeding three months, to the confounding of all distinction between public and private injuries; and that, in many instances, the crimes created by the said act are such as will encourage wilful perjury in witnesses, from the great difficulty of its being discovered, and will of course expose the petitioners to numberless false accusations, at the pleasure of any malicious prosecutor; and that by the said act offenders are deprived of a trial by jury, and made subject to the decision of a single magistrate, which, from the securities required upon an appeal, and the expence of prosecuting it, will in effect be always final, the act having expressly declared it illegal, under heavy penalties, to subscribe any sum for the support of such expences; and that no *certiorari* to remove any proceedings under the act is allowed; and that the same magistrate, who has thus the uncontrouled power over offenders within the act, will, in many cases, be enabled to fix the rate of wages of journeymen and workmen, and, upon their refusal to work for such wages (however inadequate to their labour) may licence masters to employ in their respective trades all persons indiscriminately, to the detriment of those trades, and to the utter destruction of the workmen who have served regular apprenticeships therein; and that offenders within the said act are compellable to answer questions upon oath, notwithstanding the several penalties (consisting of fines, forfeitures, and imprisonment) to which in consequence they may become liable, and for the discharge from which penalties the act has made no sufficient provision; and that, in many parts of the said act, the law is materially changed, to the great injury of all journeymen and workmen; and that, if it be not repealed, it will hereafter be dangerous for the petitioners to converse with one another, or even with their own families; and that its immediate tendency is to excite distrust and jealousy between their masters and them, and to destroy the trades and manufactures it purports to protect; and therefore praying, that the said act may be repealed, or that the House will give such other relief as it shall think fit.

Colonel GASCOIGNE presented a petition from the labourers, mechanics, and artificers, of the town and neighbourhood of Liverpool, in the county of Lancaster, likewise taking notice of the said act; and setting forth, that the petitioners were not informed of the said act till it was actually passed into a law, whereby they were precluded from praying the House, by themselves, or agents, against the same; and that the said act appears to the petitioners to have created new crimes, of so indefinite a nature, that no one journey-

man or workman will be safe in holding any conversation with another on the subject of his trade or employment; and that the petitioners and others are, by the said act, deprived of a trial by a jury of their country, and to be tried by one justice of the peace, who, for the most part, is engaged in trade, and whom, in all cases, it is competent to the masters to select, but the parties nevertheless are not even permitted to remove any conviction by such justice, under the said act, by *certiorari*, or any other writ or process whatsoever, into any of His Majesty's Courts of Record at Westminster; and that, although a right of appeal is given by the said act against any conviction by such Justice to the General or Quarter Sessions of the Peace, yet the sureties and recognizance required, and the great expence of such appeal, puts that remedy beyond the reach of the petitioners, and other workmen, who earn, by their daily labour, barely sufficient to maintain themselves and families; and the said act expressly forbids, under a severe penalty, any person from subscribing or contributing any sum or sums of money whatsoever, for the purpose of paying any expences incurred, or to be incurred, by any person charged with having acted contrary to the provisions of the said act; and that, for these and other reasons, it is to be feared that the said act will tend to disunite, more than ever yet they were disunited, masters and workmen; and that the same is, in other respects, injurious and oppressive to the petitioners and other workmen, and may therefore ultimately be productive of evils which may prove materially injurious to the trade and manufactures of the country; and that the said act empowers trustees, treasurers, collectors, receivers, and agents, to give up, in breach of their trust, all monies in their hands, custody, or power, and indemnifies them in so doing before any court of law or equity shall have pronounced on the legality or illegality of the purposes for which such funds shall have been entrusted to them; and finally, the petitioners crave the most serious attention of the House to that part of the said act, whereby all persons, who shall be charged with having offended against the same, are compellable to answer, upon oath, all questions that shall be put to them, notwithstanding any penalty or forfeiture, as the act itself expressly states, to which such persons may be liable in consequence of any discovery which may be sought thereby; and therefore praying that the said act, or so much thereof as to the House shall seem meet, may be repealed.

The said petitions, with another from Manchester, presented by Sir F. B. JONES, were severally ordered to lie upon the table.

Mr. PEELE moved the order of the day for the House to go into a Committee on the Report from the Select Committee on

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Mr. Foden's petition, in order to consider of the invention of the petitioner, the nature and probable advantages which may arise to the public from such an invention, and also of the expences which might be incurred by such an experiment as he had proposed; and the House resolved itself accordingly into a Committee.

Mr. Peele then stated the expences of Mr. Foden as already great, and it would be for them to consider how far it would be expedient to assist him to make further experiments. He expressed his fears, that, from the experience we had of returning scarcity, we might be visited again; and to provide against this scarcity in some degree was the object of the invention. This country could at all times call in the luxuries of life; but it could not compel the farmer to throw a greater quantity of grain into the earth than what he pleased, and a part of this was diverted from the use of man. The full production of the grain would by this invention be reserved for the nutriment of the country, as that part which was converted into starch, &c. would be saved, the petitioner proposing to substitute in the place of the wheat flour so used and consumed, a kind of mineral called *gypsum*, which he had so prepared, and brought to such perfection, as in all probability could be substituted in the place of wheat; this was for the consideration of the Committee. He would not longer detain the Committee than just to move a resolution on the subject and on the report; should the resolution pass, it was his intention to move, in the course of next week, an address to His Majesty on the subject of the invention, and the encouraging of the benefit that would probably result from it. He would not pledge the public to any particular amount, leaving that to the expedience of it. He then proceeded to move in the Committee, "That the invention of Mr. Foden's chrystalline size, as a substitute in the place of wheat flour, is likely to be attended with considerable advantages, and may save the use of wheat flour;" which was agreed to. The House was then resumed, and

Colonel STANLEY moved, that the report should be received on Tuesday next.

The House then went into a Committee, agreeably to the order of the day, on the consideration of the fees and emoluments of the clerk and assistant clerk of the House of Commons.

The SPEAKER said, that when on a former occasion a motion was made and agreed to, for an amount of the clerk and assistant clerk's fees of the House of Commons, the object of that motion was, that the House should be in possession of this account, for the purpose of being better enabled to direct a bill to be brought in for

the regulation of those fees, and the better establishment of the respectable persons who filled the offices of clerk and assistant clerk in the House of Commons. He then took a view of the general statement of the account before the Committee, and having named the sums specifically stated as the amount of the salaries and fees of the clerk and assistant clerk, he suggested the plan for regulating those fees, &c. in future, which it was his intention to recommend as the most consistent with the interests of the parties concerned, and most worthy of the liberality and wisdom of Parliament. The average income of the chief clerk (including fees) for ten years, was about 8542l. per annum; but of this sum Mr. Hatfel allowed Mr. Tyrwhitt formerly, and now allows Mr. Lee, both clerk assistants, one half. The amount of the salary and fees of the clerk assistant was, on the average of the same period, about 1162l. per annum. The outline of his plan was, that three commissioners be appointed, to whom the fees and emoluments of the clerk and clerk assistant shall be assigned for management, and that those commissioners shall pay to the clerk and clerk assistant such annual salary as may be hereafter agreed on by Parliament. It is proposed, that the salary of the chief clerk shall amount to 3500l. per ann. during the first five years, and that on the expiration of that period an addition of 500l. per ann. shall be made. The salary of the clerk assistant to be 1500l. per ann. during the first five years, but to be also increased by an addition of 500l. more per ann. at the expiration of that period: and if the clerk assistant should be in that situation fifteen years, and afterwards succeed the chief clerk, he is then to enter on the receipt of 4000l. a year, without serving five years as stated in the case above specified. After these salaries have been thus provided for, there would still remain a disposable fund, and this he wished to be partly appropriated to make up deficiencies to the subordinate officers of the House, whose salaries are at present small, and whose fees are particularly fluctuating. In addition to which, he meant to propose that a certain allowance annually should be made to such officers of the House as became old in its service, or were otherwise incapacitated by illness to discharge the duties of their situations. Having dwelt shortly on these several topics, the right honourable Speaker observed, that so sincerely did he wish that the Civil List and the Public might be disburdened of any charge on account of the whole establishment of the officers of the House of Commons, that no exertion should be wanting on his part to produce so important a change. The return of peace, and other probable circumstances, were likely to raise an addition of fees

to render that change practicable. He concluded by moving a resolution for leave to bring in "a bill for establishing certain regulations in the offices of the House of Commons."

Mr. ABBOT expressed his approbation of a measure that he wished to see brought forward, as it tended to place the establishments of the House of Commons on a more respectable footing than ever, and would be the means of introducing persons of much respectability into all its offices. He expressed his satisfaction also at the suggestion of a superannuated fund, and hoped to see all persons who were found to be faithful in their duty amply rewarded.

The resolution then passed the Committee, the House was resumed, and the report ordered for Tuesday.

The order of the day for the further consideration, in a Committee, of the bill for settling disputes between masters and mistresses and their menial servants, was moved; and the House went into a Committee.

Mr. SPEAKER noticed the progress of this bill: he gave to the honourable gentleman (Mr. P. Coke) ample praise for the motives which induced him to bring it forward. His own opinion (Mr. Coke's) would have highly recommended the introduction of the bill; but, in addition to this, it had the sanction of a most respectable body of magistrates, who thought it would be beneficial to the community. He, for his part, owned himself partial to many of its provisions; and it was painful to see business so defeated as it appeared on the note-book of the House, where might be seen reiterated notes for weeks and months together on the further proceedings of this bill. He admitted that some regulations were necessary, though he felt himself repugnant to the introducing of legislation into domestic families. The bill in its present state he thought would not answer the end proposed; and from the advanced state of the session, there was no great hope that any effectual progress could be made in further proceeding upon it. He thought it best to defer such a bill until next session; and in the mean time other gentlemen might make up their minds on such regulations as would most likely tend to carry the honourable gentleman's plan into effect. Should what he suggested meet with approbation, he would move that the Chairman should leave the chair, and that no farther proceedings should be had upon the bill for this session.

Mr. PARKER COKE testified his feelings of respect for the suggestions of the right honourable the Speaker, and said, that he would adopt the one of those two plans,—either to let the bill pro-

ceed in the Committee, introduce a few alterations, and then let the bill be the ground-work of further proceeding; or on next session move for leave for a Committee to examine and report upon such regulations as may be thought expedient for the better regulation of servants and families.

The SPEAKER said, that the first proposition would not answer his expectation, as he must know the Committee could not bind the House; and it would introduce fresh discussion. He recommended the other mode, and said, that many very respectable persons were of the same opinion, that it was the best the honourable member could pursue.

Mr. BUXTON supported this opinion, and said, this bill would better arise from a Committee of the whole House than from any individual.

Mr. JOLLIFFE pressed his former opposition to the bill, and adopted the opinion of the House, which inclined much to the putting off the bill, and opening it next session in a Committee.

The ATTORNEY GENERAL dwelt upon the extreme difficulty and delicacy of framing provisions for the regulation of private families; and concurred in opinion with the former gentleman.

Sir W. MILNER said, as a magistrate he spoke from experience, and considered legislative interference highly delicate and important, and great caution should be applied in it. He thought the provision in favour of facilitating the payment of servants' wages beneficial; of the other provisions he did not approve.

Mr. PARKER COKE adopted the suggestion of moving for a Committee on next session; and he hoped this would operate as a notice of his intention, and that he would not be called on to give notice again. He justified the bill in some points, and stated that it enabled a servant to recover wages to the amount of 8l. for the cost of 1s. and not be compelled to have recourse to an expensive action at law.

Dr. LAURENCE vehemently pressed the putting off the bill, and said, that he was surprised the honourable framer of the bill would persevere from day to day in such thin Houses; and thought he had received sufficient intimation of the sentiments of the House being adverse to the bill.

Mr. P. COKE said, he had seen millions voted away in such thin Houses, and thought that no argument against the measure. He disapproved of gentlemen making a practice of counting out the House.

Mr. W. DUNDAS called to order: all were agreed on the point, and yet all were getting into discussion. He moved that the Chairman should leave the chair.

Mr. JOLLIFFE rose to renew his objections, when the question was put and carried. The bill of course was lost.

The Collieries and Mine bill was read a third time, passed, and ordered to the Lords.

A resolution passed the Committee for the purpose of repealing the duties on Perfumery.

Monday, June 16.

Mr. Chancellor PITT brought up a communication from His Majesty, which was an exemplification, under the great seal, stating the manner agreed upon for electing the Members of the Houses of Parliament for Ireland, to serve in the United Parliament, &c.—Ordered to be laid upon the table.

Colonel STANLEY reported from the Committee of the whole House, to whom it was referred to consider of the report which was made from the Committee to whom the petition of Thomas Foden, of the city of Coventry, chymist and cotton manufacturer, was referred, the resolution which the Committee had directed him to report to the House; which he read in his place, and afterwards delivered in at the table, where the same was read and agreed to by the House, as follows:

“Resolved, That the discovery made by Mr. Thomas Foden, of a chrySTALLINE size and paste from vegetable and mineral substances, as a substitute for wheat flour in all purposes of manufacture where wheat flour is used, is likely to be attended with most important advantages to this kingdom, and may save the use of wheat flour to a very considerable extent.

“Resolved, That an humble address be presented to His Majesty, humbly to lay the said resolution before His Majesty; and to request that His Majesty will be graciously pleased to direct such further inquiry to be made on the subject as shall be necessary for ascertaining whether the ingredients for making the said substitute can be furnished in sufficient quantities, and at such reasonable prices, as to afford a supply equal to the consumption which may be required for the various manufactures in which it may be useful; and in case it shall appear that the said discovery can be carried to such an extent as to be of considerable national advantage, to order such sum to be advanced to the said Thomas Foden for that purpose as His Majesty shall judge proper; and to assure His Majesty that this House will make good the same.”—Agreed to.

Mr. BRAGGE brought up the Report of the Committee on the subject of Waste Paper. The resolution being read and agreed to, and a question put for bringing in a bill,

Mr. JEKYLL wished to know whether the ink was to be effaced from the paper, or the whole composition was to be reduced to one mass: for he thought the House should pause a while before they allowed the experiment to be made of effacing the ink from writing; he said this, because he remembered about ten years ago, at Salisbury, a trial in which a nobleman's estate was in question; upon an allegation that the title deeds had been effaced by means of some art, and written over again to answer a dreadful purpose, and that nothing remained of the old deed but the names of the parties and the seal. To prove this, it was proposed to call in a number of parchment makers, to shew how this could be effected; but Mr. Justice Buller stopped the inquiry on the grounds of public danger, to which it seemed to lead. Mr. Jekyll therefore wished to know whether the writing was to be effaced, or reduced to a mass?

Mr. WILLIAM ADAM said, the paper was to be reduced to its original state of manufacture, that of a pulp.

After a few words from Mr. ROSE and Mr. BRAGGE, upon the importation of waste paper, the question was put and carried.

Lord HAWKESBURY moved the order of the day for the second reading of the bill for incorporating certain individuals into a society, under the name of the "London Incorporated Society for the manufacture of flour, bread, &c." which being read accordingly,

Lord HAWKESBURY said, that he should now, in the first instance, propose that the bill should be read a second time, and pass through a Committee, before Counsel were heard against it, and which, unless the House were disposed to hear them at present, he should oppose. From the general statement circulated respecting the principle and provisions of the bill, he felt himself called upon to say something on the subject; and in this early stage also to state the real object of it. The bill provided in two parts for its respective objects: the first, for the manufacturing of flour, which concerns the interests of millers; the next, for the baking of bread, which interests a numerous class of bakers.—There could be no objection in his mind to the principle of the bill, which had in view a reduction of the high price of flour. Whatever may be made to that part which affects the interest of the baker, this class of men was numerous, not opulent; and as such one would not wish to hurt them in any degree in the profits which they gathered; and which, as the assize of bread was set, could not be very great at any

time.—He would wish to extend to them every protection ; and would propose, that the society in contemplation should be limited in the number of the loaves they should bake, and in the quality of them, confining them to bake standard bread only, and thereby to bear as lightly as possible on the bakers. The situation of the millers he considered as different from that of the class he had just described.—But lest this bill should be thought to bear hard upon them, the quantity of flour, as well as the capital of the society, could be restricted in such a manner as to create no material injury in fair dealing to the miller.—The plan which was now proposed was not new ; the experiment had been tried ; and for the five years that the Albion Mills existed, had been found to prove successful. This his Lordship stated on the average price of flour for five years preceding the Albion Mills, and the five years of their existence ; and calculated a saving to the public of 100,000*l.* a year in the article of flour. This was a matter, he said, of high and serious consideration to the public, and as such he should lead them to consider of such measures that might lead to such public beneficial effects.—There was another observation that he would press upon their attention ; which was, that in 1796, at Birmingham, where the scarcity prevailed most, the quartern loaf was to be purchased at 1*s.* 1½*d.* when in the metropolis it sold for 1*s.* 3*d.* ; and this was a sufficient reason why the proposition at this time should be entertained by the House.—He added then, that unless the case was such as would render the calling in of Counsel at this stage necessary, he would wish that they should not be called in until such time as the bill was so modified in the Committee as to enable them to judge fully of its merits, and furnish them with a just and proper view of it in all its parts.

Mr. PLUMER said, that as the noble Lord fairly declared that he would have no objection to the calling in of Counsel, should not a different sentiment be expressed on that point, he for one was of opinion that the calling in of Counsel in this stage of the bill was highly necessary. The gentlemen who had associated in the year 1784, for the manufacturing of flour at the Albion Mills, had applied for a charter of incorporation ; Counsel were heard before the Attorney and Solicitor General, and they opposed it.—This, he thought, was a good argument why Counsel should be heard immediately, and he thought it unnecessary to say more. There was one point, however, which he would reply to in the noble Lord's speech ; which was, that, on the destruction of the Albion Mills, the price of flour fell : from this he would infer, that the general observation of those mills keeping down the price was not

just, as the price of flour in March, at the time they were burnt, was higher than the succeeding November, when the trade returned into its usual channel.

Mr. Chancellor PITT said, that no objection to the parties being heard by Counsel had yet been made. His noble friend (Lord Hawkesbury) had stated clearly and distinctly, that the bill should go into a Committee, in order to see whether the outline of it would not be such as would remove the necessity of hearing Counsel, and preventing the parties from feeling those apprehensions they were said now to feel. His noble friend proposed so to alter and modify it in the Committee, as to remove all doubts and objections, unless it could there be shewn that it was not in the power of the House to prevent monopoly. He hoped the honourable gentleman (Mr. Plumer) would not press so prematurely for the hearing of Counsel, but would suffer the bill to go into a Committee, where it might be so amended as to meet with general approbation. There was one point on which the honourable gentleman expressed his difference of opinion from his noble friend, in stating that the price of flour fell shortly after the destruction of the Albion Mills : this might have been accidental, from the season, or from other causes ; and he thought it a fairer inference, to argue from the whole average of years, as his noble friend had done, than from one particular period. And if, from a fair comparison of the price, as stated from the existence of the mills, and during that existence an average, he should think it fair to conclude that the existence of those mills was beneficial to the public. On those grounds he thought, on the general principle, that the bill should go into a Committee, and that the Counsel could be then heard to more advantage.

Mr. PLUMER said, in explanation, that he thought the granting of a charter to such gentlemen as were to form this society, more likely to create monopoly than that a number of individuals unconnected with one another could combine for such a purpose.

Mr. HOBHOUSE was of opinion that Counsel should instantly be called, because the millers were alarmed from the fear of their property (which was very considerable) being endangered, and wished therefore that their case should be stated fairly. They had quitted their business and come to town, which was disadvantageous to themselves, and materially so to the public, as the mills were stopt, and the scarcity may be increased. Should Counsel be now heard, they may establish such a case as may go to the principle of the bill, and prevent all further evil from it. He admitted, that when the Albion Mills were first built, and even for some time

afterwards, there was a reduction in the price of flour, a reduction attended with heavy loss to the proprietors: but when competition was removed by the blow which so great an establishment gave to the trade of individuals, the price necessarily rose beyond its proper bounds. Hence it happened that flour, as was stated by his honourable friend (Mr. Plumer), fell in value from March, when these mills were destroyed, to the end of the year. He had a document in his hand to prove it, an extract from the books of the chamber of the city of London. He concluded with pressing that Counsel should be heard immediately.

Mr. SPEAKER here observed, that the calling in of Counsel would form another question: the motion before the House was the second reading of the bill, which must be disposed of.

Lord HAWKESBURY had no objection to the hearing of Counsel: he said, he only wished to postpone hearing Counsel till the bill went through a Committee, as they could then be most advantageously heard.

Mr. T. JONES said, that if this bill, as now proposed, should operate in full force, many thousand families might be ruined by it. On the idea that the company having a large capital, and thereby being enabled to deal to more advantage for the public than individuals can, he would remark, that in the answer that was given on the question, why at Birmingham they could sell 20 per cent. cheaper from their incorporated society than before, it appeared on evidence that no credit was given. It was on credit that the poor were enabled at present to go on, and this was a most material point for the consideration of the House at this juncture. Counsel, he thought, should be heard as soon as possible.

Mr. TIERNEY asked whether, after the second reading was agreed to, the hearing of Counsel would be opposed? if so, he would object to the further proceedings.

Mr. Chancellor PITT said, the question was not whether the parties should be heard or not; but that the parties, as stated, could be heard most conveniently in a future stage of the bill.

Mr. TIERNEY thought it would be more convenient to hear Counsel against it now. He condemned the bringing in a bill of this nature at so late a period of the session, when many gentlemen had left town. Such a bill could not be necessary but on the ground of improper practices on the part of the millers; and not one word of argument had been advanced to shew any such thing, even in the smallest degree. It was a very unfair measure, he said, with regard to the millers: These incorporated gentlemen could only lose their share of 25l. a man, while

their competitors may lose their all. The noble Lord opposite to him had said this was not a monopoly, because it was only a tenth part of the consumption. He, on the contrary, contended, that a tenth of the consumption was a very large monopoly, and might be turned to the most mischievous purposes. In fact, he said, this was a measure which the House ought not by any means to adopt, unless a very strong case was made out shewing a necessity for it. The noble Lord, he said, did not make a proper calculation respecting the cheapness of the Albion Mills, when he took the five years preceding their establishment, and the five years that they existed, as his criterion; he ought to have taken also the five years subsequent. He contended, that the cheapness of flour was not to be attributed to the Albion Mills. He had no doubt but there would be considerable speculation as to these shares of 25l. each, and that shrewd and speculative men would buy up the shares of others, till so many got into few hands as to enable them to set their own price on their commodity. The prejudices against the millers and bakers were, he said, very ill founded. Their profits were very small. This bill was said to have for its object the reducing of the price of bread; but he could see no such consequence likely to result from it. It was brought in at a late period of the session; and, before the ovens and other necessary buildings could be provided by this company, there was every reason to hope that the present scarcity would have ceased; so that the object must be something else than was pretended. He thought, indeed, it would have a direct contrary effect to reducing the price of bread. He thought it would be productive of very injurious consequences; he condemned the principle altogether, and would vote for the hearing of counsel against it immediately.

Mr. ROSE denied that any fraud had been alleged against millers; but said it was competent to Parliament to incorporate any number of gentlemen it should think expedient. A doubt certainly had arisen in the public mind, whether flour had sold as cheap as it ought to sell at this season; and on this suggestion the bill was brought forward. In answer to the honourable gentleman's (Mr. Tierney's) observation on some shrewd persons buying up the shares of the rest, there was a clause in the bill precluding more than 40 shares in one hand. The objection made, on rejecting the request from the proprietors of the Albion Mills for a charter, was justly made, as it was the application of certain individuals who meant solely their own profit. This bill had every limitation that it ought; it granted but a profit of 10 per cent. for all. On the calling in of counsel, he said, that counsel could but at best speak

against the bill as it now stood. The House was informed by his noble friend, and other gentlemen, that it would be materially altered. The society would be limited to the manufacture of 120 or 150,000 quarters of wheat a year; it would also be limited to the baking of standard household bread; and such farther restrictions might be imposed, that the bill would come out of the Committee different from what it went in. The deferring of counsel would, so far from wasting, save the time of the House: the millers could then return to their work. He hoped the bill would be permitted to go on.

Mr. TIERNEY said, his main objection was to the incorporating of individuals to speculate at a certain risk, and wished them put on a footing with the former proprietors of the Albion Mills, and then let them speculate for the public good.

Mr. PERCIVAL said, he would vote for the second reading of the bill, though he doubted much the soundness of the principle.— He ascribed to the noble Lord (Hawkesbury) the best of motives, and would wish it to go into the Committee, where it might undergo such alterations as might make it effectual and politic. He had his doubts on the policy of incorporations, and especially on the Birmingham Society.

Mr. NICHOLS thought counsel should be called in at once. The bill was bad in its principle; it gave to persons so incorporated an unfair advantage; as the law now stood, monopoly was impossible. The art of man could not devise a better way of supplying the metropolis than that at present adopted; and the bill now proposed was an act of injustice to those whose counsel were now waiting to be heard at the Bar.

Mr. W. DUNDAS thought counsel should be deferred, as they would have the advantage of making full objections when the grounds were enlarged, as would be the case in the future stages of the bill.

Mr. BIDDULPH said, he would vote for the bill. Every objection urged against the Birmingham Company was urged against this bill. They state, that a strong case should be made out before this measure was adopted; and a strong case, he would say in return, could be made out against all the little mills and machinery through the country. The measure, he was sure, was good, as the public were not obliged to confide in this new society unless they were approved of by the public. He voted for the second reading.

Mr. SIMEON supported the reasons already adduced for proceeding in the bill, though he did not consider himself pledged to vote for it through all its stages.

Sir WILLIAM PULTENEY said, gentlemen proposed by the bill to cheapen bread, and so they might for a time ; but the objection is, that it may render bread so cheap as to hinder bakers from going on : and after they have so done, they may take the profits of all they have ruined into their own hands. This would lower it at first, but afterwards the price would rise. It was difficult, when one company was established on charter, to get back that charter, and difficult also to oppose one company to another. He had no objection to a general charter for all assistance for the public good. It was so abroad, where each man contributed a share, and received a dividend. Monopoly first arose from the necessity of the Crown, and this is the remains of that necessity. His fear was, that at first it may make competition, and afterwards destroy it, and that Parliament would be compelled to raise other companies for this competition. He wished to hear counsel at the present time, and afterwards that it should be closely discussed, being a measure big with importance to the public.

Mr. H. THORNTON said, that however respectable the persons might be that were incorporated, they would, most likely, trust afterwards to agents ; this might occasion much evil : he would vote for the second reading, and the hearing of counsel.

Mr. Alderman CURTIS professed himself an enemy to all charters. He would not grant any charter that gave a preference. Competition was much wanted in the city, and he had no objection to the full extension of it to any number, and would most cheerfully subscribe to any amount to promote it, but could not bring his mind to vote for the present bill. The question, being called for, was put on the second reading of the bill.

The House divided—For it, 55 ; Against it, 27.

The question was then put for the calling in of counsel at this stage, on which a second division followed—For it, 27 ; Against it, 48.

The bill was then ordered to be committed for Friday.

HOUSE OF LORDS.

Tuesday, June 17.

On the question for the third reading of Pigot's Diamond bill (which goes to empower the heirs of the late Lord Pigot to dispose of a certain very valuable diamond by way of lottery),

The Duke of NORFOLK rose to express his disapprobation of the measure. He censured the principle of private lotteries in ge-

neral, as encouraging one of the worst species of gaming, and interfering with the State Lotteries, from which not only much financial benefit was derived, but which tended in no inconsiderable degree to depress gaming of a more pernicious tendency. The bill in question, he conceived, went to authorise one of the most indefensible kinds of private lotteries, and for which, to his surprize, he had heard no one reason assigned during the several stages through which the bill had proceeded in that House. He felt it his duty to oppose it; he was aware that such measures were not without precedent, but contended, that the bill in question bore no comparison with Mac-klin's lottery, which went to the relief of a person who entered upon a speculation highly serviceable to the arts, had embarked a considerable property therein, and from the peculiar circumstances of his case was unquestionably entitled to the indulgence of the Legislature. Another measure of the kind also struck his recollection, that of empowering Sir Ashton Lever to dispose of his valuable museum by way of lottery; that, he also contended, was a case very different from the present; the lots were composed of articles of various utility, and the scheme organized in such a way as to induce, by the extensive distribution of the lots, much public benefit. But let their Lordships consider what was the case now under their consideration? A diamond of extraordinary magnitude and value was purchased by the late Lord Pigot while in an official situation in India, with a view, as it would appear, to dispose of it to considerable advantage in this country. He had no doubt of the jewel's having been most honourably acquired, but still it was on a speculation in a true commercial spirit. To this property three or four persons became entitled by the mode of testamentary devise, or some other way. They set forth the inconvenience that it is to them, state their inability to dispose of it in the usual way: and on these grounds alone (truly commercial) they apply to the Legislature for leave to dispose of it by way of lottery; that is, they request permission to raise, by that engine, on an already overburdened public, the sum of 22,000*l.* or at least from such individuals among the public as were fools enough to part with two guineas for the possible chance of being possessed of this very valuable diamond. Upon the whole, he not only had not heard a reason assigned, but could not himself suggest any, for passing such a bill, the enacting of which would add to the precedents for measures of a very pernicious nature, and in an instance where there was no sort of pretension for soliciting the indulgence of the Legislature. He must therefore oppose the third reading of the bill.

After an interval of some time, during which a general silence prevailed, his Grace went to the woolstack and conferred with the Lord Chancellor and other Peers, in an under tone of voice; after which he returned to his place, and said, that as he observed there were no Lords present who appeared acquainted with the merits of the case, or were supporters of the bill, he would not then press a motion for the rejection of the bill; but, in order to give noble Peers an opportunity of attending, merely propose to defer the third reading to a future day, which his Grace fixed for Thursday se'nnight; and having moved accordingly, the third reading of the bill was postponed till that day.

The Duke of PORTLAND presented a message from His Majesty respecting certain property and estates purchased by, or vesting in the King or the Queen Consort, and touching the laws relative to the alienation of the same—[*For the Message see the Proceedings of the House of Commons*—and recommending it to their Lordships to take the same into their consideration, and make such provisions therein as they should deem proper.

After the message was read from the woolstack,

The Duke of PORTLAND moved an address to His Majesty on the occasion, assuring him that the House would take the points referred to in His Majesty's message into their speedy consideration.

The Address was voted *nem. dis.* and the Lords with white staves were ordered to attend His Majesty, and learn when he would be pleased to be waited on with the same.

HOUSE OF COMMONS.

Tuesday, June 17.

Mr. Chancellor PITT moved, that His Majesty's most gracious message to this House of the 2d day of April last, communicating to this House the resolutions and address of the two Houses of the Parliament of Ireland, respecting a Union of the kingdoms of Great Britain and Ireland; the entries in the votes of this House, of the resolutions of both Houses of Parliament respecting the said Union, with the proceedings thereupon; the entries in the votes of this House, of the several countervailing duties on certain goods imported from Ireland into Great Britain, and from Great Britain into Ireland, together with the addresses to His Majesty thereupon; and an act passed in the present session of the Parliament of Ireland,

intituled, "An Act to regulate the mode by which the Lords Spiritual and Temporal, and the Commons, to serve in the Parliament of the United Kingdom, on the part of Ireland, shall be summoned and returned to the said Parliament," the exemplification of which under the great seal of Ireland was yesterday presented to the House, might be read ; and the same being read accordingly,

Mr. Chancellor PITT said he had merely to state in few words, that the bill he should propose to bring in would contain a recital of the resolutions of the two Houses, and of the act passed in the Irish Parliament. He then moved for leave to bring in a bill for the Union of Great Britain and Ireland ; which being agreed to, Messrs. Pitt, Dundas, Windham, Ryder, Lord Hawkesbury, and W. Dundas, were directed to prepare and bring in the same. Mr. Pitt afterwards brought up the said bill, which was read a first time. He then moved, that the bill be read a second time to-morrow, and printed ; which was agreed to.

Mr. Chancellor PITT acquainted the House, that he had a message from His Majesty to the House, signed by His Majesty ; and he presented the same, which was read by Mr. Speaker, and was as follows :

GEORGE R.

His Majesty being informed that doubts have arisen touching the powers vested in His Majesty to dispose of certain estates purchased by His Majesty, and also concerning the powers of His Majesty, and his successors, to dispose of such real property as they may hereafter purchase, or may become entitled to otherwise than by descent with the Crown, and also touching the application of, and succession to, such personal property as His Majesty and his successors may be entitled to at the time of his or their demise ; and that doubts have also arisen touching the powers vested in the Queen to dispose of certain estates purchased by Her Majesty, as well as the general powers of the Queen consort to dispose of real and personal property ; and His Majesty being also informed, that, by reason of the restrictions imposed on the alienation of the crown lands, difficulties have arisen where lands escheated to His Majesty have been subject to trusts or charges, and that, in other cases, inconveniences may arise from such restrictions ; His Majesty recommends to his faithful Commons, to take these subjects into their consideration, and to make such provisions concerning the same as may appear to them to be proper.

G. R.

Mr. Chancellor PITT then moved, that His Majesty's most gracious message be taken into the consideration of the whole House to-morrow.—Ordered,

Mr. PERCIVAL rose, and stated his full conviction that something ought to be done by the Legislature, to amend and alter the law as it now stood relative to adultery ; and though the late motion to that effect had miscarried, he was well assured that the fate of that bill had given great concern to many serious and thinking persons who had turned their thoughts to the subject. Mr. Percival observed, that both sides of the House on that question seemed to agree in this, that some alteration of the present law was desirable. All he wished at present was, to request that gentlemen would, in the course of the ensuing recess, bear this important subject in their minds ; while he would give notice, that it was his intention to bring forward a motion on the subject in the course of the next session of Parliament.

Mr. SHERIDAN said, that the view he entertained of the subject differed from what the honourable gentleman had stated to be that of those with whom he had consulted. He had never said that nothing should be done on this subject ; but he had argued that nothing salutary or effectual could be done by going into a Committee on that rejected bill ; and that, under the present circumstances, no good could be obtained by altering the law as it now stood.

Mr. PERCIVAL in reply observed, that, in the course of the late debate, it had been admitted on all sides that the crime of adultery ought to be punished ; that the only mode by which this crime could at present be punished was exceptionable ; and from thence arose a necessity for altering the law.

Mr. SHERIDAN presented petitions from the journeymen workmen of Bristol, Bath, and Plymouth, praying the repeal of the act of last session for preventing combinations amongst journeymen workmen.

Mr. SHERIDAN said, that he had examined that act ; he found that it created a new crime, and he thought it was exceedingly oppressive : he then gave notice, that he should move on an early day for taking these petitions into consideration.

Sir H. P. S. MILDMAY having moved the order of the day for the House to resolve itself into a Committee on the bill for better regulating the Roman Catholic Monastic Institutions lately established in this country,

Mr. SHERIDAN expressed a wish that the further progress of this bill might be suspended for a few days, and a confidence that the well-known candour of the honourable mover would not permit him to oppose that wish ; especially when he assured him, that, in the interval proposed, such authentic information would be made ready to be laid before the House as would fully satisfy the honourable

mover and seconder of this measure, that there was not the least necessity for pressing it further. He was also anxious that the discussion of this question might be deferred for a few days, as many gentlemen whom he knew to be adverse to the bill were now detained in the country for no mean object; as by their presence they were countenancing and encouraging the laudable spirit of agricultural pursuits; but they would return to town in a few days, and attend in their places in this discussion.

It was then agreed that the Committee on the bill should be deferred till Monday next.

Thursday, June 19.

Mr. LONG presented to the House, pursuant to order,

An account of the ordinary revenues and extraordinary resources constituting the public income of Great Britain, for the year ended the 5th of January 1800; distinguishing England from Scotland; and distinguishing, under each head of revenue, the amount of the gross receipt, the rate per centum for collecting the same, and the nature and amount of the payments out of the gross receipt on each head respectively; distinguishing also the amount of the net produce, and the rate per centum for collecting the same, and the nature and amount of the payments out of the net produce on each head respectively; distinguishing also the payment into the exchequer; and the amount of the balances or bills in the hands of the several officers of the revenue on the 5th days of January 1799 and 1800 respectively, applicable to, or arising from, the revenues of the said year; together with the amount of the balance remaining in the exchequer on the 5th of January 1799 and 1800 respectively, whether appropriated or unappropriated; and the amount of the exchequer bills, navy bills, and transport bills, issued for the public service between the days above-mentioned, and not redeemed within that period—inclosing,

Appendix (A). An account of the total net produce paid into the exchequer of the duties of customs, distinguishing as far as possible the produce on every separate article, the duties on which shall have amounted to 1000*l.* or more in the four quarters ended the 5th January 1800.

Appendix (B. 1). An account of the gross actual receipt in money, charges of management, and taxes re-paid to officers, exports, allowances, bounties, pensions, net produce, and payments into the exchequer of the duties of excise and malt annual, of England, in the year ending 5th January 1800; distinguishing the

gross receipt, net produce, and net payments into the exchequer, of each article, in the said year.

Appendix (B. 2). An account of the gross actual receipt in money, charges of management, exports, allowances, bounties, pensions, net produce, and remittances to the commissioners of excise, London, of the duties of excise, tobacco annual, and malt annual, between 5th January 1799 and 5th January 1800; distinguishing the gross receipt, net produce, and remittances to London, of each article, in the said year: also a state of the payments out of the revenue of excise, under the authority of warrants from the barons of exchequer to the receiver-general of the crown rents and casualties in Scotland, distinguishing the several purposes and branches of the revenue, so paid over, from 5th January 1799 to 5th January 1800.

Appendix (B. 3). An account of the monies paid into the exchequer in the year ending the 5th January 1800, by the receiver-general of excise in England, on account of bills remitted by the receiver-general of the excise in Scotland; distinguishing each article.

Appendix (C. 1). An account of the gross and net produce, and payments into the exchequer, of the duties arising from stamps in England in the year ending the 5th January 1800; distinguishing the heads.

Appendix (C. 2). An account of the gross and net produce of the stamp duties in North Britain, and of the remittances and payments thereout, between the 5th day of January 1799 and the 5th day of January 1800; distinguishing each duty, and each head of payment.

Appendix (C. 3). An account of the balances in the hands of the several distributors of stamps in Great Britain, and in the hands of the receiver-general in London, on the 5th day of January 1799, and on the 5th day of January 1800; distinguishing the town from the country, and also distinguishing Scotland.

Appendix (C. 4). An account of the several sums of money paid in the year ending the 5th of January 1800, into the exchequer, by the receiver-general of the stamp duties, on account of monies remitted by the head distributor of stamps in Scotland; distinguishing each duty.

Appendix (D. 1). An account of the gross and net produce and payments into the exchequer, and to the receiver-general of the customs, of the several taxes in England and Wales, including the income tax, and the balances arising from the aid and contribution tax; with the several sums of money paid out of the said taxes on

account of militia and deserters warrants, bounties on flax and hemp, and charges of management, between the 5th day of January 1799 and the 5th day of January 1800; distinguishing each tax.

Appendix (D. 2). An account of the gross and net produce and payments into the exchequer and customs of the several duties in Scotland, and also of the several sums of monies paid out of the said tax s on account of militia and deserters warrants, bounties on flax and hemp, and charges of management, between 5th January 1799 and 5th January 1800.

Appendix (D. 3). An account of the balances in the hands of the receivers-general of the land and assessed taxes on the 5th day of January 1799 and the 5th day of January 1800.

Appendix (D. 4). An account of the balances or monies due to the Crown remaining in the hands of the receiver-general of the land and assessed taxes for Scotland on the 5th day of January 1799 and the 5th day of January 1800.

Appendix (E. 1). An account of the gross and net produce and payments into the exchequer of the revenue arising from the post-office in England for the year ending 5th January 1800, together with the payments thereout on account of management; distinguishing the inland from the packet boat charges; likewise the amount of the pensions and parliamentary grants paid out of the revenue of the post-office, together with the amount of the British postage collected in Ireland, and the packet establishment, with the 4000l. per annum in lieu of packet passage and difference of exchange, which are placed to the debt of Great Britain; also the amount of the Irish postage collected in Great Britain, together with an account of the balances due from, or remaining in, the hands of the deputy postmasters in England, the deputies under the foreign office, the penny post-office, and receiver-general, on the 5th January 1799 and 5th January 1800; also, an account of monies paid into the exchequer between 5th Jan. 1799 and 5th Jan. 1800 on account of bills or other remittances from the revenue of the post-office in Scotland; also, an account of the gross and net produce and remittances to the receiver-general of the post-office in England, arising from the revenue of the post-office in Scotland, between the 5th January 1799 and 5th January 1800, together with the amount of the payments of the said revenue on account of management, or any other account; also, an account of the balances or monies due to the public from the deputy postmasters of Scotland, and the deputy postmaster-general, on the 5th January 1799 and the 5th January 1800.

Appendix (E. 2). An account of the balances due from, or remaining in the hands of, the deputy postmasters of England, the deputies under the foreign office, the penny post-office, and the receiver-general, on the 5th January 1799 and the 5th January 1800; also, an account of the balances due to the public from the deputy postmasters of Scotland, and the deputy postmaster-general on the 5th January 1799 and 5th January 1800.

Appendix (F. 1). An account of the gross and net produce and payments into the exchequer of the duty of one shilling in the pound on salaries and pensions received by Mr. John Lane, as receiver of the said duty in England, for the year ended the 5th January 1800; also,

Accounts of Richard Howard, Esq. receiver-general of the duty of one shilling in the pound on pensions and salaries, stating his balances on the 5th January 1799 and 5th January 1800, with charges of management.

Appendix (F. 2). An account of the gross and net produce and payments into the exchequer of the duty of one shilling in the pound on pensions and salaries in Scotland in the year ended 5th January 1800, with the several payments thereout on account of management, &c.; as also the amount of the balances on the 5th January 1799 and 5th January 1800, whether arising from the produce of the year 1799, or of any preceding year.

Appendix (G). An account of the gross produce of the deductions of six-pence in the pound on pensions and salaries in England and Scotland, distinguishing each, for the year ending the 5th of January 1800, together with the several payments thereout, either into the exchequer, or on account of management; also, the amount of the balances due by or to the receiver-general of the said deductions, on the 5th of January 1799 and on the 5th of January 1800.

Appendix (H). An account of the gross actual receipt of money, net produce and payments into the exchequer of the revenue arising from hackney coaches and chairs, and the charges of management, within the year ending 5th January 1800, with the amount of the balance in the hands of the receiver of the said revenue on the 5th January 1799 and 5th January 1800.

Appendix (I). An account of the gross receipt, net produce, and net payments into the exchequer, arising from licences granted to hawkers and pedlars, together with the amount of the charges of management, in the year ended 5th January 1800; also, an account of the balances which were in the hands of the general-

receiver of the said revenue on the 5th January 1799 and 5th January 1800.

Appendix (K). Alienation-office—An account of the gross and net produce and payment into the exchequer, and the clerk of the hanaper, on account of prefinances, and the amount of the balances in the hands of the receiver-general at the end of Hilary Term 1799 and Hilary Term 1800.

Appendix (L). An account of the amount of the produce of post-fines received by John Jenkinson, Esq. surveyor and receiver-general of the greenwax money, between the 5th of January 1799 and the 5th January 1800.

Appendix (M). An account of the several sums of money received at the exchequer, in the year ended the 5th January 1800, on account of rent of alum-mines and of light-houses, on account of monies arising from seizures of uncustomed and prohibited goods, on account of compositions, on account of profers, and on account of all monies paid into the exchequer other than those arising from the public revenue.

Appendix (N. 1). An account of the balances due to the public from the receivers-general of the land revenues for England and Wales on the 5th day of January 1799, with the net amount of all subsequent receipts from thence to the 5th of January 1800, and also of what payments have been made thereout by each accountant between those periods, deducting the balances therefrom, to the 5th of January 1800.

Appendix (N. 2). An account of the two half-yearly dividends of stock purchased by the sale of crown rents by Thomas Cotton and William Mitford, Esquires, attornies for receiving the said dividends on stock, with the amount of the payments made by them, and to what purposes applied, in the year ended the 5th of January 1800; together with an account of the balances in the hands of the said Thomas Cotton and William Mitford, Esquires, on 5th of January 1799 and 5th of January 1800.

Appendix (N. 3). An account of fines paid for leases of crown lands within the year ending 5th January 1800.

Appendix (O). An account of the sums received into the exchequer, by way of lottery, between the 5th January 1799 and 5th January 1800; together with the amount of the several payments thereout on account of prizes, and likewise for charges of management; also an account of the net profit to the public.

Appendix (P). Cash account for the English and Irish lotteries from the 5th January 1799 to the 17th April 1800.

Appendix (Q). An account of money received by voluntary contributions, between 5th January 1799 and 5th January 1800.

Appendix (R). An account of the total sums of money which have been paid into the exchequer, on account of public loans, between the 5th day of January 1799 and the 5th day of January 1800.

Ordered, That the said accounts do lie upon the table; and that such a number of copies be printed as shall be sufficient for the use of the members of the House.

Mr. BRAGGE reported from the Committee of the whole House, to whom it was referred to consider of granting additional duties on spirits distilled in that part of Great Britain called Scotland, the resolutions which the Committee had directed him to report to the House, which he read in his place, and afterwards delivered in at the table, where the same were read and agreed to by the House, and are as follow, viz.

Resolved, That the duties of excise now payable for or in respect of stills used for distilling low wines or spirits, and for rectifying, compounding, or mixing spirits for consumption in that part of Great Britain called Scotland, and for making spirits for exportation from that part of Great Britain called England to that part of Great Britain called Scotland, and for or in respect of British spirits distilled for consumption in that part of Great Britain called Scotland, and of unmalted grain used in distillation in that part of Great Britain called Scotland (except in the Highland district), do cease and determine.

Resolved, That an annual duty of one hundred and eight pounds per gallon be charged upon the content of every still used for making spirits for home consumption from malt, corn, grain, or British materials, in that part of Great Britain called Scotland (except in the Highland district).

Resolved, That an annual duty of six hundred and seventy pounds per gallon be charged upon the content of every still used in making spirits in that part of Great Britain called Scotland, from melasses or sugar, for consumption therein.

Resolved, That an annual duty of seven hundred and sixty pounds be charged upon the content of every still used in making spirits in that part of Great Britain called Scotland, from other foreign materials for consumption therein.

Resolved, That an annual duty of one hundred and eight pounds be charged upon the content of every still used for rectifying, compounding, or mixing spirits in that part of Great Britain called Scotland, for consumption therein.

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Resolved, That a duty of six-pence be charged upon every gallon of spirits distilled in that part of Great Britain called Scotland, for consumption therein.

Resolved, That a duty of two-pence halfpenny be charged upon every gallon of worts or wash brewed or made in that part of Great Britain called Scotland (except in the Highland district), for extracting spirits from malt, corn, grain, or British materials, for consumption therein.

Resolved, That a duty of two-pence halfpenny be charged upon every gallon of worts or wash brewed or made in that part of Great Britain called Scotland, for extracting spirits from melasses or sugar, for consumption therein.

Resolved, That a duty of two-pence halfpenny be charged upon every gallon of worts or wash brewed or made in that part of Great Britain called Scotland, for extracting spirits from other foreign materials, for consumption therein.

Resolved, That a duty of three shillings be charged upon every gallon of spirits distilled in that part of Great Britain called England, and imported into that part of Great Britain called Scotland.

Resolved, That it is expedient that two acts made in the thirty-eighth and thirty-ninth years of the reign of his present Majesty, for the regulation of the distilleries in that part of Great Britain called Scotland, which were to continue in force until the 10th day of November 1800, should be further continued.

Ordered, That a bill be brought in upon the said resolutions; and that Mr. Bragge, Mr. Rose, Mr. Long, and Mr. Douglas, do prepare and bring in the same.

HOUSE OF LORDS.

Friday, June 20.

The royal assent was given, by commission, to sixty-seven bills of various descriptions. Among them were the following State bills and important acts: the Income Tax Bill—the Lottery—the Judges' Salaries—the Rye Importation Duty—the Blubber Duty—the Public Accountants—the Customs Regulation—the Entailed Estates—the Wet Docks—the Russell Square—the Asylum Incorporation—and the Vagrant Bills.

The Lords Commissioners on this occasion were the Lord Chancellor, the Duke of Portland, and Earl Spencer.

HOUSE OF COMMONS.

Friday, June 20.

Mr. Chancellor PITT moved the order of the day for the House to resolve itself into a Committee on the bill for the Union between Great Britain and Ireland : which being read, the House resolved itself accordingly ; Lord Temple in the chair. The bill then passed through the Committee, the report was brought up, and ordered to be received on Monday next.

Sir JOHN ANDERSON moved the order of the day for the third reading of the bill for rendering more effectual the act of James I. and subsequent statutes for the recovery of small debts in the city of London ; which being read,

Mr. JEKYLL said he rose to oppose the bill, and regretted that one of such importance should be brought forward at so late a period of the session, now near its end.

A message from the Lords desiring the attendance of the Commons to hear a commission read, authorising certain commissioners to notify the royal assent to several bills, interrupted Mr. Jekyll and called off the House to the House of Peers.

The SPEAKER, when he returned, acquainted the House that the royal assent was given to the Lottery Bill, the Income Bill, and to a number of private bills.

Mr. JEKYLL then resumed, and said that he stood in need of no apology for the objections he should now make to this bill, as they were such as he made before in 1795 and 1796, when the same worthy Alderman (Anderson) had attempted to carry bills similar to this, but which from the objections he made at that time, with the aid and assistance of a right honourable gentleman (Mr. Pitt) whom he did not now see in his place, and who then opposed the latter measure, the worthy Alderman was obliged to abandon and withdraw it. He was surprised the honourable member should bring it forward again, as it did not deserve encouragement. Mr. Jekyll gave a short abstract of the rise and progress of courts of requests ; the first of which, he said, originated in an order of council, which was no great recommendation to favour, and from what he knew and heard of them, so far was he from extending their jurisdiction to the sum of 5l. that he wished a bill was brought in for the abolition of them altogether. The persons who sat as judges, he said, were incompetent ; there was much injustice in such decisions ; the parties were examined upon oath, and believed : this

led to perjury, jobbing, intrigue, and dishonesty, and thus the object and end of the suit was defeated. The court of requests in the city of London was composed of the common council; he did not wish "to tell the secrets of the prison-house," but would say, that this bill might become, in the hands of such, an engine of oppression. The House should pause before it passed such a bill, and the more especially when there existed two courts of record already, namely, the Lord Mayor's and Sheriff's courts, where they proceeded by judges and a jury. Should the expence of those courts be made an objection, that expence could be reformed by the court, as it was not such as arose from the necessary expences of the suit, but such as the courts had imposed and made. The expences of suit in those courts were small; the jury was impanelled at the rate of two-pence per juror, and the parties had the full benefit of the trial by jury. He lamented that the objection which lay against those courts, lay, in a great measure, against all courts, where the costs in them were a great scourge to the community. But as the courts were competent to bring down those costs, he would ask why the worthy Alderman had not turned this in his mind, and effected a reform in this point, leaving the constitutional parts sound and entire behind for the benefit of the subject? On this subject he did not mean to speak at random, as such a useful reform was introduced in the court of Whitechapel, a court under a particular franchise, by a respectable gentleman, the common serjeant, by a bill brought into Parliament for that purpose, preserving to it the trial by jury, and the allowance of two-pence to each juror. He thought it better to imitate this bill, than to frame one for extending the jurisdiction of the present courts. Should this bill pass into a law, all the petty courts throughout the kingdom would apply for the same extension of power, to the injury of right and justice. The sum of 5*l.* was set up in the bill, the sum to which the jurisdiction of the court is to reach, instead of 40*s.* by way of ratio; but on this principle there would be room opened for altering the rates in other concerns, and thus the landmarks of the law would be insensibly removed, and the limits broken down. He understood that not one of the city officers, nor of the twelve judges, had been even consulted on this bill, which was to him, he said, extraordinary. He asked, whether the proposers of the bill were aware, that cases might arise, by this new extension of power, of which those who were to judge would be altogether ignorant, wholly disqualified to determine causes arising on the statute of limitations, &c. &c. This surely was sufficient to call up some consideration before such a bill was passed, and ought to induce the House to reflect on it, as

it must throw the jurisdiction of such causes into hands disqualified to manage them.

The MASTER OF THE ROLLS said, that he never heard, nor understood, that any objection was ever made against the administration of justice in the courts of request of London. The objection, he said, was to the extending the jurisdiction from the sum of 40s. to 5l. and to enable persons without, as well as those within the city, to apply for the recovery of debts within the city. There is no farther interference with the law as it stands; it gives no jurisdiction over actions for assaults, &c.; and though he confessed he agreed most cordially with the honourable gentleman (Mr. Jekyll) in praise of juries, yet that would not lead him to the abolition of those courts, as, in many instances, it would leave the party aggrieved without remedy, as there would be no alternative between the absolute loss of a small sum of money, from the expences of an action at law, and the easy recovery by a summary proceeding. The question then was, to what extent the jurisdiction should go? and on that it should be considered, that the sum of 5l. is not equivalent to 40s. in value, relatively considered with respect to the times, and would gentlemen give no right for a summary recovery between 40s. and 5l. He commented on the courts which were just described; he said he would extend his inquiries concerning them: but on the view of such juries, of juries who attended for two-pence a man, he was led to ask, what use there could be in such juries, who attended for this price, and to whom, he understood, it was an inducement to attend; and what influence could such a judge as mentioned have over such juries? Such a jury, he would suppose, were always ready to fly in the face of the judge, the law, and the fact; and, as such, he did not see that these courts could be one jot better than those which the honourable gentleman (Mr. Jekyll) described as so corrupt. He would state the advantage, in point of costs, that would arise from this bill, and that was, that no costs could exceed 5s. 10d. The courts described in preference exceeded double that sum, and, in some actions which were tried in those courts, the costs turned out to be treble the amount of the original debt. This limitation of the costs was a great improvement, as they cannot exceed the sum first specified; and should give the preference to the plan proposed over the Sheriff's court, which he described as expensive and vexatious. Such an act as this has just passed in Scotland, and met with approbation; and he thought the present bill entitled to every attention.

Sir J. ANDERSON said it was impossible to add any thing to the arguments of his right honourable friend. He would just

state, that, on a relative value, 5l. was not equivalent to the ancient 40s. ; and that the courts of the city of London for the recovery of small debts were filled by highly respectable persons, by persons chosen from the common council, or possessed of property to the amount of 1000l. Sir John then stated a list of distresses arising from actions where the debt, in one instance, was 2l. 14s. and then rose up, in this self-same Sheriff's court, to 6l. 7s. 4d. ; another 2l. 5s. which got up to 4l. 15s. 6d. and for which the poor wretch was doomed to a gaol. He hoped no member would adopt the opinion of the honourable gentleman, as all the judges had approved of the bill, and there was no aspersions on the administration of justice in the city of London ; and he could farther add, that there was not one of the law officers of the city who was not consulted. He trusted the bill would pass.

The ATTORNEY GENERAL said, that he was no friend to courts of conscience in general ; but this was of so peculiar and respectable a condition, being formed from out of the twenty-four wards of the city, and framed in such a manner that no man could be tempted to create an interest by injustice, as his sitting as a judge was limited. The Mayor and Sheriff's courts were composed of the lowest of the people, who came for the two-pence they received, and, as such, he could not but discourage them. He then entered on the superior justice that would result from this plan, and enforced the arguments of the Master of the Rolls and Sir John Anderson. On the reform of those courts he said, that, with the assistance of the late Mr. Justice Buller, he had turned his thoughts to this subject ; but they both found it extremely delicate and difficult, and thought once to have proposed something like a form of process for the recovery of debts which they have in Ireland, called a civil bill, but never proceeded further in it. He then gave his vote for the bill.

Mr. Alderman LUSHINGTON said, that as the harmony of the law was already ably discussed by the learned gentlemen who had spoken, he should address himself to the common sense of the House. As a Legislature, it was their duty not only to give the people good laws, but also a facility of appealing to them. This was not in general the case ; and one main object of the present measure was, that people who had just and lawful claims should not be deterred from prosecuting them by the exorbitancy of the expence, equally ruinous to the creditor and honest debtor, who may be involved by unfortunate circumstances.

Mr. JEKYLL explained. He denied the judges had been consulted. He thought the courts themselves could reform those

great costs which made them so objectionable, and that jurors at two-pence a man were competent to decide. He then moved, as an amendment, "That the bill be read this day three months."

Sir JOHN ANDERSON re-stated, that the opinion of the judges was taken, and that it was in favour of the measure.

The amendment was negatived, and the bill ordered to be read a third time on Monday next.

Mr. YORKE moved the order of the day on the Committee on the Bread Affize bill, which was read.

Sir JOHN ANDERSON moved an instruction to the said Committee, that a clause should be made extending the provisions of the bill to the city of London, and within ten miles of the metropolis; which was agreed to: and also, that the table of affize should be extended, on account of the extended price of wheat.

The SPEAKER observed, that this bill was to repeal a former bill brought in on petition; and the desire of the petitioners was, that this clause should be introduced, such being necessary to sanction the proceeding.

The instruction was also agreed to.

The bill then passed through the Committee, and the report was immediately received and agreed to, and the bill ordered to be read a third time on Monday.

The MASTER OF THE ROLLS moved the order of the day for a Committee on an engrossed bill from the Lords, intituled "A bill for the Regulation of Executory Devises." The House went into a Committee.

The ATTORNEY GENERAL declared his opinion to be adverse to the bill; but in deference to those great characters who framed it, he would content himself with suggesting such amendments as would remove doubts in litigation, and better suit it to the objects for which it was intended. With this view, he moved some alterations in the preamble.

Mr. BUXTON entered at some length into the objections which presented themselves to the bill. He thought there should be no obstacle to a man's disposing of his property even in a capricious manner if he thought proper, if it was not likely to operate to the injury of the State. It was necessary that the bulk of the people should be very poor, in order to render them laborious; that the lower ranks should have but little property, in order to excite their industry; and that there should be some extremely rich, to supply the State in cases of imminent exigency, and advance schemes and enterprises which required capital. All these had gone on very well as the law stood at present, and he saw an insurmountable objection

to limitations in point of time, which would interfere with marriage settlements, with the growth of timber, with provisions for future generations, &c. But though many of these might be met and obviated by express provisions, yet innumerable other cases would start up, for which it was impossible to make provision before hand; and at all events he thought that the testator should be at liberty to make what dispositions he pleased, for three lives, or twenty-one years.

Mr. PIERREPONT thought it wrong that a bill of such magnitude, and to which there were such serious objections, should be discussed in so very thin a House. He would therefore suffer it to go no farther at this time, but move that the Chairman should report progress, and ask leave to sit again. After a few observations, this motion was agreed to.

Monday, June 23.

The order of the day on the Monastic Institution bill being read, Mr. WINDHAM rose and said, "Did any necessity exist for a restraining measure of this kind, I know none more unexceptionable than the present one proposed. But with all the inquiries I have been able to make, and with all the sagacity I have been able to exercise, though I have even strained my eyes to find out a plausible or sufficient cause for the present proceeding, I have been wholly disappointed in my object. Instead of the Roman Catholic religion springing up again into importance, its friends have to fear a change of quite a different kind. I myself have upon some occasions been considered as a pretty good alarmist, though on the present one my feelings, I confess, are rather obtuse. Whether or no my fears for the common safety of Europe may absorb all other considerations of danger, or that I see things in a juster point of light than those who support the bill, I will not pretend to say.—What, however, can be more absurd, than to suppose that in the present order of things, in this æra of the world, at the latter end of the eighteen hundredth century, (or if you please at the beginning of the century 1801), in the tenth year of the French Revolution, in the general renunciation of every Popish tenet throughout Europe, when the fate even of that quarter of the globe is trembling in the balance, and the period is arrived which must either establish or overturn for ever the power of France, any just apprehension can be entertained of the spread and dominion of Popery? Some gentlemen there are, of heated imaginations, who attribute all the calamities which have lately arisen to the effects and operation of Popery.

Popery, they say, produced the D'Alemberts, the Diderots, and the Voltaires, who in their turn contributed to its downfall; and even our countrymen Hume and Gibbon were made infidels by the horrors of Popery. The opinions of such persons, then, it seems, have produced these calamities; and in the time of these calamities, the re-production of those opinions which originally gave birth to them is become matter of serious dread and expectation. Those who reason in this way make use indeed of an admirable antiperistasis. Qualities are said sometimes to produce their opposites; thus heat produces cold. On this principle, indeed, the effects of infidelity, with all its concurrent circumstances, may be to produce religion. But, on taking a survey of Europe, I cannot see any imminent danger of this sort. But what is the danger spoken of? Why, there are three or four thousand emigrant priests in the country. I admit, this argument, taken by itself, is a good one; but gentlemen ought to look further. In the time of Agricola, the northern inhabitants of this island were held in disregard, and did not much invite the Roman arms. From this they supposed they were braver than their southern neighbours, who were conquered by the Romans.—To apply this to the present occasion, I would say, we see four or five thousand Popish priests in this country. These are the wreck of three hundred thousand who once flourished in France, but were suppressed. A few stragglers only have come to us, who happily survived the destruction of the Gallic church. This general overthrow and abasement have weakened more the Catholic faith than any endeavours of the remaining few who adhere to it can effect towards its restoration. They have no idea of the kind. They esteem themselves weak and fallen. The supporters of the present bill only swell them into importance, and suppose them capable of performing a task their more numerous brethren were unequal to. Those who have fled to us for protection are but miserable remains as to their means and power, though not as to the virtues they have uniformly displayed. What danger then can be suspected from them? Where the means are so disproportionate, why should we fear the end? I must consider, therefore, this bill as wholly useless. Where no danger exists, no precaution is necessary—where no disease, no remedy. When I think of the readiness with which persons are apt to call for the interference of the House, I consider it as one of the evils of the times. The Courts below keep up their price—there we find no frivolous applications; the experiment is too costly—Parliament only is cheap. The Legislature is as accessible as the parish pump: it may be worked by the first man who chooses to put his hand to it. This alone is a suffi-

ent reason why the vote of the House should put a stop to the further progress of the bill. If, however, we are to go on with it, let us consider what other objections there may be. The form of an argument has been adduced in its support,

“ If form indeed it had, which form had none

“ Distinguishable in member, joint or limb,”

that these miserable remains of the church of France will revive the Monkish superstitions.— But how can this be the case ; or, if it was, what mischiefs could ensue ? What is there so abhorrent in a convent ; or, what danger is to be apprehended from one sect more than another ? I do not mean to go into the question of monastic institutions, or to undertake their defence ; but I will say, that nothing can be more weak, indecent, or offensive, than the arguments generally adduced against them. Why any person who voluntarily consigns himself to mortifying penalties and solitude should be condemned and restrained in the free exercise of his wishes, I know not : piety, to be sure, may not require the many privations he lays himself under ; but let him either be an ascetic or a maniac, it is no concern of mine. The effect of his conduct is confined to himself, and is the concern of no other person. In no one instance has the hostility of protestant divines been more displayed than against the ascetics of the Church of Rome. Man, by his nature, perhaps, is more apt to find fault with and condemn those excessive virtues which put him to the blush, than the blackest and most extravagant vices. Every man is the rule of his own conduct. One disposition may require more mortification than another, and the stronger should possess charity for the weaker brother. Some may be driven

“ To leave a world where strong temptations lie,

“ And when they cannot conquer learn to fly.”

I should be glad to know why a society of antient maids, who may unite together, and agree not to go beyond their garden walls, are less respectable or less virtuous than the same number of ladies dispersed abroad, who collect parties at whist, or at any other amusement. It is a matter worthy of consideration what researches have been carried on in monasteries, what inventions thence take their origin, and what voyages missionaries from that school have performed. This circumstance makes us respect the inhabitants of cloisters and their institutions. The hope of a convent has been the support of many. It is a last retreat, where they shun the cares and misfortunes of life. In this country, however, such an institution is graced with no veneration ; its devotees are not marked with any peculiar degree of sanctity. One great cause, therefore, of for-

taking the world by seclusion in these places, is wanting in this country. When the Church of Rome was in the plenitude of its power, the proselytes to its tenets were numerous, and its doctrines thus brought into exercise might be attended with some danger in this country. Now, however, when the predominance of another persuasion exists, and in the degraded state of the Catholic church beside, a Papist is no more an object of fear or suspicion than any other sectary. Toleration demands that a state should be indifferent to all religious opinions which do not affect its own internal tranquillity or safety. A State, I own, has a right to patronise what establishment it pleases, but not to suppress the freedom of opinion or dissent. Some opinions, it is true, are dangerous, and these a State should not be indifferent to. Such were the opinions of the United Irishmen. But if a set of nuns chose to make vows of celibacy, it is voluntary on their part, and no restraint should be imposed upon them. If, therefore, without any danger from Popery, you attempt to lay its professors under needless restrictions, you legislate on very delicate grounds. It is right to save one man from the act of another, but not to save him from the act of himself. According to the best information I have received, I do not believe that the interior of a convent is that scene of vice or woe which it has most commonly been represented to be; and if persons choose to spend their lives within such walls, the Legislature have no right to rescue them from their own determinations. By this bill persons are to be prevented from making vows; but there is no instance, I believe, of a woman in an English convent who has not passed her noviciate in another country. But, to go back to the subject of converts, I say that the law should not interfere to prevent converts to Popery, any more than to any other sects and persuasions. If, indeed, conversion to Popery were an evil, law is not its proper remedy. The Divines of the Established Church should feed their flocks with spiritual food, and thus enable them to withstand the poison of delusion. Instead of this, they are too fond of raising the cry "the church is in danger!" If proselytism exists, it is a disgrace only to that clergyman in whose parish it takes place. What, if they do their duty, can members of the Church of England fear? They meet their antagonists on more than equal terms. Should any one indeed attempt to preach up the rights of man, or teach insubordination to lawful authority; to silence such would then be a work of necessity: but Popery has nothing in it of this dangerous tendency, and may be met fairly in the field of argument. But if a line of conduct be adopted similar to that which induces persons to apply to the Legislature to protect themselves by penalties and

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statutes, where they are entirely careless about themselves, and would rather defend their property by acts of Parliament than by a quick-set hedge ; what can persons thus acting expect, but that advantage should be taken of their supineness ? Success, and the protection of the laws, belong rightly to a different class, *Vigilantibus non dormientibus*. Penal laws can never defend the country against Popery. I cannot help making the remark here, that opinion may be too much under the protection of law. A little opposition is no bad thing, it makes persons attentive to their duty, and may be as useful in the church as in the senate. In the physical and moral body, opposition tends to keep up the proper tone of health. Did the earth spontaneously produce every thing for the use of man, the short-sighted philosopher might say it was well ; but nature has wisely ordained it otherwise. Every thing valuable is to be acquired and preserved by labour. In this point of view I should deprecate the bill gentlemen wish to bring in, as it tends to narrow the field of intellectual exercise and fair discussion. Another objection against the bill is, that it raises prejudices in the minds of the illiberal, against a number of unoffending persons, who have fled to our shores from the tempest which threatened their destruction.—When this shall subside, they will be very ready to seek their own country again, and carry all their offensive customs and sentiments along with them. But why should we send them back lame and crippled ? While they remained here, it was not generous to mark them out as objects of public scorn and suspicion. An honourable gentleman opposite (Mr. T. Jones) has called this a nun-baiting bill. I, however, am their defender ; and the bull himself turned into a baiter, is running furiously among the nuns. Now, Sir, there is another evil to be remedied, or a danger to be avoided by this bill. As to danger to the State, every person must scout the idea. If conversion be the evil complained of, why is that greater in this case than in that of the sectaries ? I have heard it as an argument for the bill, that if it will do no great good, it will do no hurt : but this I deny, so long as unjust prejudice is liable to spring from it. I therefore vote against the Speaker's leaving the chair."

Sir H. ST. JOHN MILD MAY. " However, Sir, I most perfectly concur in opinion with my right honourable friend in many particulars, there are some points in which I cannot possibly agree with him ; and there is none in which I differ from him more widely than in the little importance with which he seems disposed to treat the measure under the consideration of the House. I conceive that if there is any subject more particularly entitled to the serious and dispassionate attention of Parliament, it is one that relates to the

support and protection of the religious establishment of this country; and especially when the grounds of the application before us arise from the notorious abuse of indulgencies which, from motives of humanity alone, have been afforded to the members of a foreign communion, though uniformly and invariably withheld from our own established protesting Catholic subjects. Sir, I have always considered as one of the principal safeguards of the Constitution of this country, that close and intimate connection that subsists between our civil and ecclesiastical establishments, and most heartily do I deprecate any circumstances that may arise to weaken that connection, or to dispose Parliament to shew less solicitude in maintaining the interests of the one, than vigilance in protecting the rights of the other. My right honourable friend appears to have argued as if he supposed that the intention of the present bill went to introduce some innovation into the criminal law of this country. This is by no means the case; and I wish to explain distinctly to the House, that the object of the bill is not to introduce any one principle whatever that has not been already generally recognised in almost every act of Parliament that has passed, on these subjects, since we have had any laws whatever to regulate the conduct of persons professing the Catholic persuasion. Its object is confined to give force and effect to the act of 1791, and to adapt its provisions to the particular circumstances of the present moment, which, not having been in the contemplation of the Legislature when that act passed, have not been sufficiently guarded against. If the subject of these provisions be of trivial moment, if they are unworthy the attention of the Legislature, I beg to remind the House that they do not originate with me: they belong to gentlemen of the highest character and respectability; to men to whom the imputation of levity has not frequently been ascribed with success: they rest with my honourable and learned friend, the Attorney-General, who brought in the bill of 1791, and with my equally enlightened and honourable friend, His Majesty's present Secretary at War, who supported and seconded that very measure, in a speech replete with his usual eloquence, and, in my mind, with the most satisfactory and conclusive arguments. Now, Sir, on what principle my right honourable friend could have supported a bill that distinctly prohibits the introduction of a monastic community in the year 1791, when no chance, no prospect, no apprehension I might add, scarcely the most remote possibility appeared to exist of any such attempt being made here—and in the year 1800, when the evil actually exists, when convents have been introduced and dispersed over the face of the country, when they are attempting to propagate and to perpetuate their societies, and to

disseminate their principles, he should tell us that it is a subject unworthy of legislative interference, I am unable to conjecture. It does appear to me, with all the high esteem I feel towards him, to be a little inconsistency, a contradiction, a sort of paradox in my right honourable friend's conduct, for which I have no doubt he could afford a satisfactory reason, but he has hitherto given no satisfactory explanation to the House. That he may have seen good reason to alter his opinions on the subject, I cannot pretend to dispute; but I contend that circumstance alone is not sufficient to induce the House to alter their sentiments, or to lead them to relax from the principle and spirit of those laws which were originally formed to restrain our own Catholic subjects, in favour of a set of Foreigners, who still adhere to many obnoxious tenets and opinions, which have been regularly disclaimed by our own subjects as inconsistent with the civil establishment of this country.

"I am, Sir, as little desirous as capable of following my right honourable friend through all the extensive field in which his luxuriant imagination has sported on this serious subject: I wish simply to state to the House the motives in which this measure originated, and the objects we have in view. When the emigrants were originally expelled from their former residence on the Continent; when, victims of the most merciless and indiscriminate persecution, they were turned friendless adrift on the world; we received them into this country, and afforded them our protection: Sir, we have done more; we have subsisted them at the public expence; and all that we require in return for those favours they have received at our hands is, that they should not attempt to interfere, in any respect, with that constitution in Church or State whence we derive the comforts we partake of, to which we are indebted for those infinite blessings which, as a nation, we almost exclusively enjoy. The object of the first part of the bill is merely to prevent them from rendering permanent those monastic establishments which are directly opposite to the spirit and the letter of our constitution, and can only be tolerated here for a limited period from motives of the most considerate and humane commiseration; and to prevent them from immuring in useless inactivity and seclusion young persons of both sexes, subjects of this country, to whom, as a Protestant State, we look for better purposes than being made monks and nuns. The object of the second part of the bill is solely to restrain Catholic teachers from holding out bribes and temptations to seduce the children of Protestant parents from the profession of the established religion of the country, and to enable us to detect such proceedings in case they should continue to be

practised. These objects appear to me so mild and moderate in themselves, that I can scarcely conceive any reasonable objection being made to them; and I acknowledge that the opposition which by every fair and unfair means has been so industriously fomented out of doors, and collected, to throw out the bill in this House, is an additional reason in my mind why Parliament ought to adopt it; for, if this bill contains no one provision that can possibly militate against, or interfere with the comfort or convenience of those societies, who merely wish for a peaceful and undisturbed retirement from the world during their residence here, I own the warmth of the opposition to it does create a strong suspicion in my mind, that there are persons among them who have further objects in view than those which meet the public eye, or can possibly be consistent either with the public safety or the security of the Protestant persuasion. My right honourable friend has insisted that it is extremely impolitic and dangerous to agitate any question on this subject, which tends to revive antient prejudices, to foment jealousies between the Catholics and Protestants, and eventually to inflame the public mind against the former. If such be the consequence of the present bill, (though it is an effect of which I entertain no apprehension,) I must beg leave to disclaim any responsibility whatever on the subject: I contend that it is solely and altogether to be attributed to the very imprudent and injudicious conduct of some of our own Catholics, who have chosen to make a common cause with the emigrants on a subject which I have endeavoured to keep perfectly separate and distinct from them, and with which they ought to have no connection whatever. But, Sir, admitting, for the sake of argument, that such consequences were to be apprehended, can it be expected that we are to sit still and tamely see the constitution of this country subverted and undermined by a set of men whom we have received here from motives of compassion, and to take no steps or precautions to prevent it, merely from the apprehension of inflaming the public mind against the Catholics? Be the consequences of the bill what it may, no blame attaches to us; it is to be exclusively attributed to those whose conduct has driven us to adopt regulations which are become absolutely essential to our own security. I should wish to ask my right honourable friend, whether he thinks that, to reject this bill in its present stage, after having been twice read in the House, and founded on the resolution of a Committee, is the most likely method of conciliating the public mind to the Catholics? Did it never occur to him that such a proceeding might possibly have a directly opposite effect; might tend to exasperate and irritate, and eventually prove more prejudicial and dis-

astrous to the Catholic cause, than to suffer the bill to pass, which, according to the character given it by its bitterest enemies, is so mild and moderate in its provisions as to be almost nugatory? With regard to the Catholics, I am confident the House will do me the justice to recollect, that in whatever I have thought it necessary to say on these occasions when I have presumed to trouble them with my sentiments on this subject, I have endeavoured to avoid any expression that could possibly tend to influence the public mind against them. I have been subject, Sir, to a great deal of painful calumny and misrepresentation on this point, and I wish to avail myself of this occasion to say distinctly, and with no reservation whatever, that I do consider the Catholics to be, as a body, as amiable and respectable in private life, as harmless and inoffensive, as loyal and as well-affected in their public sentiments, as any one class or description of His Majesty's Protestant subjects. If the most zealous Catholic could put stronger words into my mouth, I should readily adopt them; for it is impossible for language to permit me with terms too strong to express the confidence I have in that respectable body of men—I mean our protesting Catholics: I am equally desirous to avoid prejudicing the public mind against those unfortunate emigrants, of whose general conduct and demeanour I have already spoken in terms of the highest approbation and applause; but I cannot avoid expressing a hope that the Public and that Parliament will not suffer themselves to be run away with on so serious a subject by their feelings of humanity alone, but that we at least shall remember that there is a duty which supercedes even the impulse of compassion itself, namely, that duty we owe to our constituents and to the public, of preserving from innovation or encroachment that constitution, equally in church and state, of which we are the delegated guardians. Sir, my right honourable friend has said, that at this time of day it is impossible that the public mind can entertain any reasonable apprehensions from the prevalence of Catholic opinions; since I have had this subject in contemplation, the same has been suggested to me by several very respectable Catholics, and they assign as a reason for it, that the members of that communion are daily decreasing in point of numbers, so that the proportion of Catholics to Protestants is not, exclusive of the emigrants, more than one to one hundred. To this remark I shall say a very few words: I shall merely request gentlemen to refer to the eighth volume of Mr. Hume's History of England, where they will find, that in the year 1687, subsequent to the famous proclamation of James the Second, at a time when the King who filled the throne of this country was professedly a bigoted Catholic, when all the prin-

cipal Officers of State were Catholics, when every avenue to wealth, to honour, and to preferment, was attainable only by this Catholic influence—at that very time, Mr. Hume distinctly tells us, that the proportion of Catholics to Protestants was “something less than one to one hundred;” precisely the very same proportion that actually subsists in this country at this moment, according to the calculation of the Catholics themselves, notwithstanding the rapid decline of their numbers. Now, Sir, if in the year 1687 the prevalence of Catholic opinions was sufficient to create such an apprehension in the public mind as to go a great way towards producing the revolution, I think, so long as that proportion continues the same, we cannot pretend to say that we are so totally exempted from any danger from such opinions, that we can suffer upwards of 5000 authorized Roman Catholic missionaries to be dispersed over the face of the country, without subjecting them to some regulations which may be sufficient to check the luxuriant effusions of their zeal. On this part of the subject allow me to remind the House, that, every year these persons continue in this country, their situation is materially altered: in proportion as they become familiar with our language, as they learn to assimilate and incorporate themselves in society, so in proportion augments their powers, their means and their opportunities of subverting the established church, and of disseminating their own opinions; and in the same degree ought to increase the precautions we adopt, to prevent any such mischief arising, in case any such mischief may be intended. My right honourable friend seems to think that I have not adduced sufficient grounds for this bill: I have, Sir, much to lament, that on several former occasions, when I stated those grounds, my right honourable friend was absent. My reasons for not mentioning any particular instances of individual imprudence I have already stated, and the House appear to have approved of them. I do not think it necessary to do so, because I contend that those facts, which are notorious, afford very sufficient call for legislative interference. No one can deny that there are a considerable number of monastic communities resident in this country, and that they have admitted and suffered many subjects of Great Britain to profess themselves, to take the veil, and to become members of their respective establishments. As to the particular numbers of each, it is very immaterial; for, so long as there exists one convent, and one subject of this country has been professed at it, I insist upon it, that it affords ample ground for the first part of the present bill. As to the second provision, I have only to quote the professions of the superiors themselves, and their own advertisements, to shew that they undertake the education of children

indiscriminately, whether of Catholic or of Protestant parents; and in some instances they profess to educate the children of indigent parents, void of any expence. What their success may have been in these endeavours, I know not. This does appear to me in no other light than the offering bribes and temptations to obtain the instruction of Protestant children, in order to breed them Catholics; and I cannot conceive any candid man will think, that, so long as we profess the reformed religion, such practices ought to be suffered.

“ I will state one circumstance more to my right honourable friend, in which I will beg the House to understand that I do not mean to cast the smallest censure on the conduct of that amiable and venerable man to whom I allude. I am in possession of an official letter from the Bishop of St. Pol de Leon to the Bishop of Winchester, in consequence of very heavy complaints that were made by his Lordship to the French Bishop on the subject to which I have called the attention of the House. In his answer, the Bishop of Leon does not attempt to explain or apologize for the conduct of the emigrants; but he assumes a higher tone, and tells us distinctly that he considers them perfectly justified under the letter of our existing laws. Now, Sir, if our laws are so inaccurately drawn as to be subject to misconception or misinterpretation by those very persons to whom they are meant to be immediately applicable, I must contend that it is a sufficient reason for revising and re-considering them: if, on the other hand, circumstances have arisen which are not sufficiently provided for, from not having been in the contemplation of the Legislature, which have caused alarm and apprehension in the public mind, I conceive it a very full reason for correcting and amending them, and for giving such additional powers to the arm of the Executive Government as will enable it to meet the emergency of the present danger.

“ Having trespassed so long on the time of the House, I shall pass over the remaining topics of the right honourable gentleman's speech, and merely state my determination to support the present bill, which, if it is not likely to produce all the good effect I may expect from it, seems at least calculated to do no mischief.”

Mr. T. JONES said, that it was not his intention to trouble the House on this business, had he not been *baited* by a right honourable gentleman (Mr. Windham) to say a few words, from the reference that he had made to him. He would not contend with the right honourable Secretary in his metaphysical refinements and abstractions; the very terms were to him as unusual as they were unintelligible: it would then be equally absurd and impossible to follow him through such a heap of metaphysics; he would confine him-

self to the plain and obvious parts of the question. And first, he would say, that as the French priests were well received and protected by this country, they should not have been wanting in gratitude for that bounty and hospitality which they had experienced. He had read a pamphlet, which went so far as to say that priests must make converts: this doctrine he did not understand; but he understood that the Bishop of Pol de Leon did insist upon it, and considered that it was the duty of those priests to make converts to their faith. When the remonstrance was made to the Bishop of Winchester, he declined having any thing to do with it, as the order was under the Legislature, whose interference, he seemed to think, was necessary. The right honourable Secretary had made an elaborate and eloquent speech in favour of those monastic institutions: in his (Mr. Jones's) opinion, they were bad; he would say of them, as a celebrated character distinguished for his talents and genius, but now no more, said of the French revolution, that the age of Chivalry was gone—so, would he say, the age of Popery was commenced. The right honourable Secretary became its champion; and so warm an advocate was he for its cause, that one would think he wished to be made Pope. Notwithstanding all his refinement and sophistry, he could not but think danger was to be apprehended from no less than 5000 priests in the country. He did not see the right honourable the Chancellor of the Exchequer in his place, and that augured something inauspicious, as that right honourable gentleman had acknowledged, on a former occasion, that some regard should be paid to the religion of the country, and that the bill brought in by the highly-respectable Baronet was deserving of every encouragement. Though he gave it his hearty support, his wish was that it went still further.

The Honourable DUDLEY RYDER maintained that the principle of the bill was good, and that its provisions were moderate and unexceptionable. It had been said, that, if passed into a law, it would harass the Roman Catholics, and expose them to the odium of the public. The reverse was the case; it would operate as a protection to them, and would reconcile the minds of the populace to their residence in Great Britain. Unless some regulation of this nature should be adopted, their situation would soon become irksome and insupportable. We exercised the most extensive charity of any nation that ever existed, and these exiled priests had hitherto been worthy objects of our benevolence. They had behaved in the most peaceable and inoffensive manner, and had ever studied to demean themselves according to the laws of the land; but if they were now in danger of encroaching upon these laws, would it not be

proper to give them warning of the error they were likely to commit, lest they should cease to be equally inoffensive and equally deserving. If this bill should not pass, these religious societies would soon become objects of such jealousy that their suppression would be altogether indispensable. On the contrary, the country would perceive, from the passing of such a bill, that their fears for the safety of their religion were groundless; and that, though monastic institutions were tolerated for a time in this country, they would never be made permanent. What way so sure to render the life of these unfortunate men peaceable and unmolested? The bill was, in fact, an enabling bill, and not a bill to coerce, to restrain, and to punish. The existence of the monasteries was directly contrary to several statutes which remained unrepealed; and never since the reformation has their existence been before tolerated, far less legalised, by the laws of England. His only objection to the bill was, that it carried toleration too far. He admired toleration as much as any man; but there was a point beyond which, for the good of the community, and of sectaries themselves, it ought not to be carried. It had been stated as an argument against the bill, by the right honourable gentleman who opened the debate, that it would tend to suppress monasteries altogether. He was rather surprised to hear such an argument adduced in that House. The monastic life was pretty generally condemned even in Roman Catholic countries, and he by no means expected to hear that defended in the British House of Commons, which was contrary to our religion, hostile to our laws, and destructive of our prosperity and opulence. The honourable Baronet, whose merit in this affair every one must see and acknowledge, could have stated many instances of young people being seduced by these religious societies, but he very properly refrained from making them public from motives of delicacy and prudence. The feelings of private families might have been hurt; and had the most obnoxious houses been pointed out, they might have experienced the fury of a mob not inferior to that led by Lord George Gordon. Fortunately no facts were necessary to be adduced, as there would have been sufficient ground for passing the bill, were we merely certain that numbers of nuns and friars were about to land on our island. It was evident that these persons would exert themselves to the utmost to make proselytes; and that the sooner their endeavours were checked, the better for themselves and the country. He allowed that there was no great danger of grown-up people being prevailed upon to change their religion, nor would he object to their being allowed to hear all the arguments which could be adduced in favour of any religion or of any sect.

his place, (the Attorney General,) for the purpose of exempting them from certain penalties. Those who gave a proof of having renounced their civil opinions, by making the declaration required by that statute, (for the learned gentleman's bill was instantly approved by Parliament,) were Roman Catholics; those who could not conscientiously subscribe that test were still Papists, for they still believed the supremacy of the Pope, in affairs temporal as well as ecclesiastical. Now, which of these two descriptions of men had struck the honourable Baronet and his friends with so violent a panic? The Roman Catholics of this country had, with very few exceptions, entitled themselves to the indulgences under the statute of 1791, the 31st of the King, upon the principle of our legal code; therefore no apprehensions respecting them ought longer to be entertained: neither did he see any reason why they should not be placed on the same footing with the Protestant Dissenters; they were a truly respectable body of men, of whom it was impossible to speak too highly. But we might be told that it was the Papist, not the Roman Catholic, who was so much the object of alarm, and that all the foreign emigrants were strict Papists. Mr. Hobhouse said, that he should not dwell upon the fallen state of the Papal power, a state so low that to dread the restoration of it to its former greatness would be quite ridiculous. The fear of Popery had been ably exposed by the right honourable gentleman who opened the debate (Mr. Windham). In addition to the argument which had been urged by him, he (Mr. Hobhouse) would beg leave to observe, that the conduct of the emigrants had been very regular and exemplary: they had fled from persecution in their own country, had been humanely and hospitably received by Great Britain, and in return had manifested gratitude and propriety of demeanor. It was no longer ago than July 1798 that the Duke of Portland wrote a letter, by command of His Majesty, to the Bishop St. Pol de Leon, expressing his high approbation of the conduct of the numerous body of the French emigrant clergy committed to the care of that prelate. Had they employed themselves in making converts to their faith, the vigilance of Government would have defeated it, and the Secretary of State would not have advised His Majesty to speak of them in such terms of praise. Besides, the French emigrants had discovered what the administration of this country had to learn. Ministers deemed the Consulate of France to be too unsteady and unstable, and therefore rejected its overtures of peace: the emigrants doubted not its stability; they thought that "the evidence of experience and the testimony of facts" gave sufficient security for its permanence, and the greater part of them were returning to their

native homes. Was this a time, when their numbers were fast diminishing every day, to dread their influence, and impose additional restraints upon their conduct? Certainly not. Far wiser would it be to review our penal code, and expunge the vigorous laws still existing against those who professed the Roman Catholic religion. Such was the advice given by Mr. Justice Blackstone, "if a time should ever arrive when all fears of a Pretender should have vanished, and the power and influence of the Pope should have been rendered feeble, ridiculous, and despicable, not only in England, but in every kingdom of Europe." Was not the present moment the precise period described by that intelligent Judge? Did gentlemen think it right to leave upon the statute-book such severities as are inflicted by the 22d and 23d sections of the third of James I. c. 42? On a former night he had drawn the notice of the House to that law, in his opinion, at no time justifiable, but surely not at this, when all danger from Jacobinism was removed, when a Pope was scarcely known to be in existence, and when the great body of Roman Catholics had made an express renunciation of those civil principles which were regarded as inconsistent with the safety of the State. By those sections any person, whether a native of these realms or not, was liable to the pains and penalties of high treason, "if he withdrew another from his allegiance, and reconciled him to the see of Rome," &c. When he addressed the House the other night, he had stated that the subscribing Roman Catholic, the Roman Catholic who had taken the oath, and signed the declaration required by the 31st of the King, c. 32, could not be subject to the operation of that branch of the statute of James I. because, if he converted a man to his own faith, he had not "withdrawn him from his allegiance," by teaching him that he owed allegiance to a foreign power; but in that respect, Mr. Hobhouse declared that, upon a more accurate investigation, he had found himself mistaken. It appeared by the 31st of the King, c. 32, s. 3, that those who entitled themselves to the privileges of it were only exempted from the penalties inflicted by the third of James, c. 4, and other statutes, for not attending, or for keeping Catholic servants who did not attend divine service in some chapel or place of worship belonging to the Church of England. Thus not only the Papist, but the Roman Catholic, notwithstanding his compliance with the act last mentioned, which in some respects was justly called the toleration act of the Roman Catholic, might be put to death as a traitor for making a single proselyte. Who would be bold enough to defend such sanguinary punishments, which discredit and pollute our criminal code? Perhaps it would be said, that this

law lay like useless lumber upon our statute-book. If this were granted, why was it not repealed? Any merciless bigot might enforce it, against the will of the mildest judge and the most humane jury: and though the royal mercy might interpose and save the life of the party, what, during the interval, must have been the situation of a person imprisoned, arraigned, convicted, and adjudged to death? Such dormant statutes might be considered as so many daggers scattered around, which the demon of superstition might at any time seize and convert to purposes the most bloody and the most desperate. Not a weapon should be left within the reach of that fell goddess.

Mr. Hobhouse said, that he would dwell no longer upon general topics, but enter upon an examination of the present bill, which divided itself into two distinct parts, the one relating to monastic or religious houses, the other to places of education, whether separate from such houses or not. The honourable Baronet had been desired, by himself and others, to state the grounds of this application to Parliament, and to establish the necessity of legislative interference. He had declined to comply with the request, alleging, that he had abstained from motives of delicacy, lest a publication of names should excite odium against individuals: but he (Mr. Hobhouse) would assure the honourable Baronet, that all the persons affected by the bill wished and called for inquiry: they challenged investigation, and begged that no facts might be suppressed through delicacy. Should, however, this sentiment of delicacy prevail, a Secret Committee, fairly chosen without regard to the politics of either side of the House, might be appointed; which, after a candid and impartial examination of facts, might report their opinion how far this or any other measure was expedient. Gentlemen could not surely suppose that a bill of high importance, and of a penal nature, ought to be passed on hearsay and *ipse dixit*, however respectable the quarter, and he would grant it to be truly respectable, from which it proceeded. This was not a case in which the House ought to legislate upon confidence. But although the honourable Baronet had shewn such great unwillingness to put the House into possession of his information, he (Mr. Hobhouse) had not the same aversion to the statement of facts, and hoped that he might be allowed to descend into particulars. What he should advance he had received from an authority which was unquestionable. The societies of English ladies, who were bound by religious vows abroad, and who have resided in this country since the year 1794, consisted of seventeen in number, and contained, in the whole, rather more than three hundred persons, including a few French or Flemish servants.

Those ladies were, for the most part, sprung from some of the most respectable families in the kingdom. The societies of foreign ladies were four in number, and consisted of about fifty individuals. Of male societies there were only four, three of which were entirely composed of English from Douay and Bornhem. The exact amount of persons in these societies he had not been able to ascertain, but he did not imagine that they were numerous. With respect to the French emigrant clergy, very few comparatively, probably not five hundred out of five thousand now in England, belonged to any religious order, or were presumed to have bound themselves by any monastic vow. Such was the state of facts at present. Were these monastic institutions then, he would first ask, formidable in point of the numbers they contained? Certainly not. Had they been increasing since 1794, the period of their formation in this country? Quite the contrary. It appeared from the obituary, that, among the women only, sixty had died, and no more than twenty had succeeded in their stead; and hence he was entitled to infer, that death had made more ravages than religious vows had replaced: nay, it was natural to suppose that these institutions should be in a state of diminution; for it was most probable that, when the members of them were first assaulted by the cruel rage of persecution, the greater part of them would fly together in quest of a peaceful asylum, and therefore few were left to join them since their settlement in Great Britain. Nor was there more reason for apprehension when their property was considered: they lost their houses and moveables by the violence of our enemies; their funds, which were lodged in the bank of Vienna, our magnanimous ally, the Emperor, had seized, and transferred the poor wanderers over to our charity and compassion. To the bounty of individuals, and the money they received for the education of children, they were indebted for their subsistence. But it would be said that their zeal for proselytism might be productive of bad effects, for very many of these societies had opened schools. It was certainly true that many of them took pupils, but they confined themselves to the children of Roman Catholics, conformably to the injunctions of the law. He had the authority of the superiors of the Houses, at least of the most respectable abbesses and directors, for saying, that they never knowingly admitted the child of any Protestant. Only two instances occurred in which this rule was violated; but both were the result of deception; and the moment the children were discovered to belong to Protestant parents, they were dismissed. Would this testimony be rejected, because it came from persons whose interest in the present question might lead them to misrepresentation? Their charac-

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ters raised them above the suspicion of asserting an untruth. A letter which he had received from a noble Lord in Wiltshire, whom every one must esteem and respect, though he may differ from him in religious dogmas (Lord Arundel), confirmed these accounts from the superiors, and stated, "that the ladies belonging to these societies were peaceable subjects, and never interfered with politics; and that neither in these houses, nor in the charity-schools, were the children of Protestant parents ever received. This, after the most diligent inquiry," his Lordship said, "he would take upon himself to affirm." Could better authority be brought forward than that which was now offered to the House? If then these monastic institutions were neither formidable for the number of their members, their property, nor their zeal, he was at a loss to know why they should be made the objects of legislation. Mr. Hobhouse then proceeded to comment upon the operation of the bill, as far as the first branch of it, relating to monasteries, was concerned. It had been said by a right honourable gentleman (Mr. Ryder) that this bill would be a protection to the Roman Catholics. Would it be protection to prevent them from replenishing their numbers, and to oblige those who should survive their present companions, to drag out a solitary and forlorn life within the dreary walls of a convent? Would it be protection to prevent an unfortunate female, who had taken the vows in a foreign country, and who had been expelled from the retreat she had chosen, from finding an asylum in her native land, and from spending her days among the intimate companions of her early life in the service of her Maker? Would it be protection to force her back again from your shores, without friends, and, perhaps, without means of support, a prey to disappointment and despair? for such must be the effect of closing the door of the convent against her, since neither her conscience nor her habits of life would suffer her to live in any other way than among a sisterhood of her own persuasion. Was this consistent with the humanity and generosity of England, which had opened her arms to all the unfortunate refugees from France, without exception, many of whom had, with the utmost difficulty, escaped imprisonment or death? Such a case as that which he had stated might happen; but that it could not happen often, he was ready to admit; for, as he had said before, the greatest part of those who would seek protection here must have already arrived. In another point of view, Mr. Hobhouse said, the prevention of new members in these monasteries would operate cruelly by the Roman Catholics, and disadvantageously to the country. The Roman Catholic families who used to send their children abroad for education, now placed them

for the purposes of instruction in these religious houses. Let these institutions gradually expire, the parents must lose the comfort and happiness of occasionally seeing their children ; for they will then educate them in some foreign country, and the money now spent at home would be carried out of the kingdom. For his own part, he thought it better, if the Legislature would interfere at all, to prohibit any new monastic associations, and not suffer those in existence to increase their numbers at any time beyond the present amount. Thus much upon the first branch of the bill ; the second, which imposed further restrictions upon Roman Catholic schools, was no less objectionable. He believed he might lay it down as a general principle, that the choice of education might safely be left with the parent. Was it not true that scarcely any parent could be found who would entrust his children to the tuition of any person of a different religious persuasion from himself ? The parent's discretion was a sufficient security against the danger so much apprehended ; and for this, as well as other reasons which it was unnecessary to mention, instead of giving efficacy and strength by new penalties to that clause of the 31st of the King, c. 32, which prohibited Roman Catholic school-masters from taking the children of Protestant parents, he would rather vote for its repeal. But if there was any propriety in restraining Papists in that particular (of whom there were very few, unless, perhaps, the French emigrants were of that description) upon the principles of our law, Roman Catholics ought to be exempted from such restrictions. They had abandoned the political principles, which, in the eye of the law, were considered as dangerous, and their school-masters ought to have the same power of receiving children of every description as is enjoyed by other dissenters from the established church. Hence the clause in the 31st of the King, to which he had alluded, was inconsistent with the principle which pervaded all the former statutes against Roman Catholics, because it was alike restrictive upon those who abjured and those who retained their civil doctrines. The same incongruity was copied into the bill now before the House ; Papists and Roman Catholics were treated as one and the same body of men. And what was the nature of that treatment ? One part of it was most tyrannical and oppressive. Their schools were made subject to the domiciliary visits of the justices of the peace ; a new species of inquisitors with undefined powers. The bill, upon the whole, was most inexpedient and intolerant, and had been brought forward at a most unseasonable moment. When we were upon the point of forming a legislative Union with Ireland, a country, three-fourths of whose inhabitants are Catholics, it would have been more be-

coming in us to have reformed our penal code, instead of rendering it more faulty, and to have attempted to conciliate and soften, instead of exasperating, the minds of the Irish. We had held out promises, in loose and vague terms indeed, that "something should be done" for the Catholics of that nation. We had raised their expectations, and encouraged them to hope that some indulgence would be granted to them. If we wished that our sincerity should not be questioned, we ought not to inflict severities on that description of people resident here. If we wished not to disgust those whom we had pledged to favour and protect, we ought not to proceed for one moment in this measure. There were many other arguments which he could offer against the bill; his mind laboured with them, they were so multifarious and forcible; what he had already said, he believed, however, was sufficient to convince any man, whose judgement was unbiassed, and whose mind was free from prejudice.

Sir WILLIAM SCOTT admitted, that the charity and hospitality of the country had been enjoyed by the emigrants with great moderation and good conduct on their part. This was their general description, and he approved of the delicacy of the honourable Baronet in avoiding to state any particular exceptions to it. The general statement of the institutions, and their numbers, he believed to be correct; but with respect to the males, there was one fallacy which he wished to detect. These institutions were looked on as consisting of monks; whereas they were composed either of secular priests exclusively, or of secular priests and religieux, a distinct description of persons from those in the contemplation of the bill. With regard to these people, it was formerly, he believed, the general wish that on the termination of the war they should return home; but it was the obscurity in which the arrival of that period was involved, that led to all the present difficulty of legislating on the subject. If they were only to remain here two or three years, a very slight regulation, whatever their number, might be sufficient; but if they were to continue permanent, then they would obviously become proper subjects for legislation. Here, then, arose all the difficulty; for on what ground could it be ascertained that they would return in a few years? Were this objection removed, he did not see any on the ground of toleration. These institutions were not necessarily connected with the Roman Catholic religion, as it might subsist in its full force without them, and therefore they had nothing to do with toleration. If, then, they were not necessarily connected with toleration, they were institutions which, in this Protestant country, should be discountenanced as unfriendly to

its religion. Wherever situated, they had greatly the advantage, in point of numbers and compactness, over the parochial clergy, scattered over the country upon small livings; for such was their general description with respect to income, whatever might be said of their opulence. They, therefore, must maintain a very unequal contest against such societies; and, therefore, unless he could bring himself to be of opinion that it was a matter of indifference to discourage the Protestant religion a little, he should never approve of the permanent establishment in this country. With regard to the Roman Catholic inhabitants themselves, he did not believe they wished it. In Roman Catholic countries, these societies had the law and public opinion on their side. Here they were both against them; and therefore they could not flourish in that state in which their sincere friends would wish to see them. He objected, therefore, to the bill, because its provisions were permanent, whereas the subject might be transitory and fugitive. If, however, these societies were not to be considered here *in transitu*, still he thought a very slight regulation, free from all oppression, would be sufficient. He would recommend that they should expire with the present generation, and be placed under the alien act; thus leaving to government, on proof of misconduct, to deal with them as its discretion should dictate. To carry this into effect, it would be sufficient to transmit a list of their numbers to the bishop of their diocese; and this he thought would be far preferable to the restricting clauses, which he noticed particularly, and reprobated as cruel and severe. With regard to the second part, relating to schools, he admitted it to be a subject of great importance. It had long appeared to him, that the state of public schools in general was not a matter of indifference to the Legislature. It had long struck him, that in a country where any man might take a large house, call it an academy, and collect a large school, without any proof of his morals or learning, it was possible the task of education might have fallen into hands in which it ought not to continue without the inspection of the Legislature. In the present case this might be done through the medium of the bishop of the diocese, and properly so, as the ecclesiastical, and not the civil power, had the superintendence of education. The business of the magistrates was weighty enough already, and their right of visitation could only produce a feverish anxiety in those societies so subject to it. It was not proposed, he believed, to give them visitatorial powers, which included the right to make rules and ordinances for their internal economy; and if they were only to have their right of walking in and walking out, he did not see any good to be expected from such visits. As to the number that had en-

tered these societies for the sake of gratuitous education, it rested entirely on general assertion; and until a return should be made, the Legislature had no rule to direct it. Under these circumstances, therefore, if he should vote against the bill, he would do so, first, because it went farther than was necessary; and, secondly, because he thought a very short bill, containing one or two provisions, would be sufficient.

Mr. ERSKINE professed himself a friend to the principles of toleration in general; but when he did so, he said he could not forget the history of our law as it applied to that subject. He could not consent to pronounce a libel on the law of this country; and he must also desire, that before we pronounced any harsh expressions upon the old laws of this realm, on the subject of the Catholic religion, we would place ourselves in the situation of our ancestors who framed those laws, and consider the reasons they had for entering on those regulations which they did; otherwise we should do our ancestors great injustice. It would be recollected, that when Sir William Blackstone wrote his excellent book, the career of toleration had not commenced among us; all that was suffered under that name was not under the law, but was a mere winking of the state. But our ancestors, when they enacted the laws which appear now to us so rigorous, were under great difficulties. They were under the necessity of making general and severe laws, because they could not make any discrimination, and trust, as we can now, when there is a necessity for it, to the humanity of the country in the execution. The first law which passed in the way of toleration was that which was called Sir George Saville's act, an act worthy of his name; and it was followed up by others, some of which had his (Mr. Erskine's) support. But he could not help saying now, that it was hard, after all this spirit of toleration, manifested so often as it had been, the Legislature should be considered as it were weary of its humanity, and betaking itself to its ancient jealousy against Catholics. It was stated, that there was a general cry against Catholics; he should be ashamed to join in such a cry, if there was; he joined rather with the honourable Baronet in saying, that the Catholics of this country had conducted themselves so well that they deserved all the favours they had received from it, and they have justified the policy which has been adopted with regard to them. The House would do well, however, to mark how this country has been compelled to act in former times with regard to the Catholics; for we had a prince now upon the throne whose ancestor ascended it, not by hereditary right of descent, but by a solemn act of legislation, and that passed in consequence of the Catholic policy of his predecessors upon that

Throne, and therefore it was not wonderful to find in our statute book so many acts against Catholics. But as to the bill now before the House, although it prevented the growth of Catholic influence, it was yet an enabling bill, and without which the Catholics would be liable to many severities from which they are exempted by it. Some might imagine that monastic institutions were part of the law of the land; so far from it, that they cannot in monasteries carry on any thing of a secret nature in this country; the place of the worship of its votaries is not only open to every magistrate, but to every man who chuses to be present; and whatever oath they may have taken, if they bar their doors they are obnoxious to all the penalties of the old laws upon the subject of Catholics.—[Here he read a clause in a statute to prove this.]—As to the evils of allowing those monastic societies to spring up, and the influence of their number, the multitude of children they would have under their care, and the danger to be apprehended to the state from these circumstances, he owned he apprehended but little on that account, provided the religious houses were under proper regulation; but otherwise they might be dangerous. Under the monarchy, all the towns in France were under these institutions of monastic communities; and he observed, that there was a spirit among the Catholics in this country to enlarge their influence; for he had seen an advertisement, inviting all classes of the subjects of this country to come to them. They propose to educate the youth of this country, and to make the Catholic religion popular, which this bill did not seek to check, but wholesomely to regulate. They came into this country, but they could not have remained here without the royal license or permission, independent of any provisions of the alien bill. He would say, therefore, that but for an enabling clause in the bill now proposed, these unhappy people could not exercise their religion; by it they will have a right to do so, provided they have a license from His Majesty, but not otherwise. Under such restriction he apprehended they could not, in their present number, be dangerous. There was only one thing which made an impression on his mind, and led him to have some doubts as to the policy of this bill. We had allowed some unhappy Catholics who were now here, to take shelter from a storm. Suppose others should come for the same reason—by the present provision of the bill they cannot be received; for it is provided that the numbers shall not be kept up as they die; now, by leaving out three words that were in the bill, a power might be given to His Majesty to grant his royal license to those who may come hereafter, provided that the whole shall not exceed a given number; this would not contribute to the

increase of Catholic influence ; besides, by giving His Majesty this power of granting his license, His Majesty would of course have the power of withholding that license, and which, we were well assured, he would do as to his wisdom should seem meet : a better security in the nature of discretion, we never could have. Under such regulations, conditions, and restrictions, he saw no reason to refuse them considerable indulgences. There was, at present, very great obscurity on the question of the termination of this war ; and indeed, if it were to terminate to-morrow, we cannot form any idea of the condition which France will assume ; it therefore appeared to him that there was probable permanence enough about the condition of the Catholics in this country to make them fit objects of legislation. The present measure granted to the unfortunate victims who had been driven into this country by the tempests which had torn their own, every comfort and convenience that they could desire ; and the only restraint was, that those institutions so created should die a natural death, and not be recruited from the Protestant inhabitants of this country. Formerly it was the consideration of the Legislature to restrain, now it had only to regulate, the conduct of the Catholics in this country. There was but one point more to which he had to advert ; and that was, the power which it was proposed should be given to the magistrates to visit these monastic houses. He could not conceive that the magistrates would be guilty of any oppression towards these persons at their schools ; this was to require no more than a necessary security, in his apprehension. Neither did he believe that the return of the Catholics for the indulgences of this bill would be evil ; for that would be returning evil for good, of which he did not think the Catholics of this country would be guilty ; but as it was part of the Catholic, as indeed it was of every religion, to endeavour to extend itself, it was necessary there should be some security against that extension : in a word, the reasons why he supported this bill were, that it gave encouragement, in some respects, to those who were the object of it, by securing them against penalties, to which, in certain cases, they would otherwise be subject, while it put them under regulations which appeared to him to be necessary. For all these reasons he should vote in favour of the present bill.

Mr. SHERIDAN said, he had been listening with great attention to every person who had spoken on the subject now before the House, and particularly to the two honourable and learned gentlemen who had taken part in it. He should neither follow them nor any other person in the detail of their arguments, but endeavour to bring the question now before the House into as narrow a compass,

as the thing was capable of. By the question, he meant the substance of that on which the decision of the House was to be taken. The honourable and learned gentleman who had just sat down, had gone, he apprehended, considerably beside the question, which really was this: "Whether there does exist at this moment, in the conduct of the Catholics in this country, any ground to blame them? Whether, in a word, any body could fairly impute to any of them any misconduct whatever?"—No gentleman had yet met this question, and yet every gentleman seemed to admit that this was the point for the discussion of the House. One honourable member said, the House should not proceed unless they saw actual misconduct. On what ground was the House to decide that this measure was necessary? Were they to proceed on general rumour or hearsay? Were they to proceed on a regulating bill, merely upon confidence in those who said it was necessary? Or, would the advocates of the bill come at once to that short issue, "Was there any misconduct in the Catholics that rendered this or any regulation necessary?" Whether monasteries should or should not exist, he should not at present argue; neither should he now say any thing upon the question, whether Parliament should or should not at any time prevent them. These were points that appeared to him to be foreign to the question before the House, because that was a question of regulation. What he first should humbly insist upon was this: that there ought to be made out a case shewing the necessity of this measure, or of some measure, before the House agreed to any alteration in the law upon the subject. The learned gentleman who spoke last, had called this an enabling bill; he did not think that learned gentleman had perused it very accurately, nor very attentively examined what the law was already upon this point; if he had, he would have found there was no necessity for this enabling bill. As to most of the objects of the bill, or rather those which were supposed to be the objects of it, and their residence, he must observe there was no power to remove them, for they were natural-born subjects of this realm, and for the same reason they would not be put under the operation of the alien act. But there was one great mistake which the friends of the bill fell into, that of confounding the idea of vows with legal obligations in these nunneries, or monastic institutions; whereas there was, in this country, no such thing as a legal obligation attached to a vow. There was no legal power of attaching any civil punishment to those who broke their vows in this country. Any number of ladies might meet together, and make a vow that they would die old maids; but they could not be bound by law to observe that vow. In other coun-

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tries, if a nun run away, or married, she was punishable by the civil power; but here there was no such law, and therefore the idea was idle of making an alteration in the law upon that subject, because upon that subject there was no law. Many compliments had been paid to the honourable Baronet who brought in this bill. No man could think higher of his virtues and talents than he did; but on the present occasion he saw no room for compliments on the delicacy and forbearance of the framers of the bill; for sure he was that it was fraught with every thing that must insult the pride and alarm the feelings of the Roman Catholics of this country, than which description of the community none was more exemplary in their conduct as men and as subjects. It was telling the Roman Catholic gentlemen, that we understood their interests, and could direct their feelings, better than themselves, and that we knew best how and where their children should be educated. But, after all, in what does this delicacy, so much panegyricized, consist?—in abstaining from specifying particular places, or particular persons, and from exposing those whom we have taken under our protection to popular indignation and rage. This delicacy and forbearance would have no such effect—on the contrary, he would contend that it would expose both foreign and English Roman Catholics to be victims of popular fury. The measure must be felt as such by those who recollect the horrors that disgraced the year 1780. Under the pretext of religious alarm, what was then sought for but plunder, massacre, and firings? If once aroused, who can controul the savage madness of such a mob, or prevent its running into a general undistinguishing cry against the whole body of Roman Catholics? This reflection must make the promoters of the measure shudder at the consequences which it is more than possible it may produce. At least it should induce the House to pause before they proceeded too hastily to adopt it, or any measure that might risk such horrible and incalculable mischief. But it will still be said there is no harm, no mischief to be dreaded from it. He would ask, where was its necessity? Without a necessity, a well-proved necessity, no legislative act should be proceeded to. But of late every gentleman has become a law-maker, whether new laws were called for or not. If laws are enacted without the plea of necessity, or of some evident good to be derived from it, the multiplying of such laws is only spreading imbecility over the rest of your statutes. Without a strong case were previously made out, he must therefore again entreat gentlemen not to lend their countenance to a measure which, if duly considered, may be found pregnant with the most horrible mischiefs. When the mob in the year 1780 rose against

the Catholics, they had Parliament against them ; for Parliament was then employed in repealing laws that bore hard upon the Roman Catholics ; at present they would find the House of Commons, at least, countenancing injurious suspicions of that class of their fellow-subjects. He was induced to oppose this bill, because he did not wish the Catholics to be exposed to popular indignation. Would any man, who remembered what happened in 1780, tell him there was no danger to be apprehended from a furious, plundering, desolating and proscribing mob, with the cry of "No Popery?" Would any man tell him there was no probability that any designing, artful demagogue, should arise and pretend that the present high price of provisions was owing to the Catholics in this country? And who would answer for the consequences? It was not enough to say that the people were now more enlightened than they were; a mob, whenever they were put in motion, had but one way of proceeding, and that was to take a catch-word, and, under it, to plunder and destroy wherever they proceeded. All this he saw at least as a possibility, by encouraging these legislative provisions without necessity. It had been said, that in the time of James II. there was but one Catholic in this country to an hundred Protestants, and that the number was the same, or nearly the same, now; but did any man seriously mean to say that the danger at this time from the Catholic religion was the same as at that time? He had heard a good deal said in praise of toleration, as it was called, in this country. He confessed freely he was almost induced to hate the word, because it was but another name for mitigating persecution. The true sentence of justice was "Freedom of Worship." As to the provision in the bill which authorises magistrates to visit and inspect the Roman Catholic seminaries, he could think of nothing that more rudely violated all decorum and delicacy. Why not visit and inspect the places of education of other sects; or why hold out the falsehood that the Catholics were more to be feared? It was wonderful how the framers of the bill seemed to be influenced only by shadows and alarms, and never thought of any thing like proofs to justify the necessity of the measure. How came it to pass that on this occasion they were so regardless of the evidence of facts? He had facts, however, to adduce, though he must beg pardon of those new legislators for attempting to obtrude any, as they seemed to them to be wholly unnecessary. Mr. Sheridan then proceeded to read a number of documents, by which it appeared that all mistresses of the Roman Catholic boarding-schools had been asked the question, whether they had any protestant young ladies under their care, or whether they were in the habit of admitting them as pupils? The uniform answer

was, None ; None ; Never. They were also asked, if they offered to educate, or did really educate Protestant young women for nothing ? They were all anxious to be exculpated from this charge of charity : they never were guilty of such a thing, except in one, or perhaps two instances, and then the young women were Catholics, not Protestants. A foolish alarm had also been sent abroad respecting the number of emigrant clergy now in this country ; they were said to amount to 5000 ; and persons had even been absurd enough to say, that in one county alone they had converted 2000 housemaids. How this wonderful conversion was brought about, he could not well conceive. The emigrant priests spoke but little English, and our housemaids, he believed, spoke as little French. Besides, it was nothing to the purpose to bring in the conduct of the emigrant priests on this occasion, as the bill in question did not go to affect them in the least. In no instance, indeed, had any argument been urged to support the bill as it really stood. The framers of it, indeed, pretended that it was " A Bill to explain, amend, and render more effectual the 31st of His Majesty ;" but when examined it would rather appear to be " A Bill to confound, deform, and render nugatory that act." The honourable gentleman next proceeded to shew, that, out of the seventeen convents that were now established in this country, only nine of them took in pupils. They were the only schools to which Roman Catholic gentlemen could send their children to be educated ; and was it not better that they should be educated here, under the eyes of their parents, and under the vigilant inspection of government, than in France, or any other foreign country, where their political as well as moral principles were supposed to run such risk of being corrupted ? He was ready to confess that there was, in his opinion, a great deal of prejudice in the minds of many well-meaning persons in this country upon the subject ; and that of supposing the Catholic to be a worse religion than others to a State in the present state of things, was only a political and moral falsehood. Upon the subject of the supposed operation of the funds of these monasteries being more than a match for the Church of England, he said that appeared to him to be absolutely ridiculous. He said it should seem as if these poor Catholics possessed all their former wealth and splendour, and that all their lands and goods had not been turned over with the cathedrals to our Church—as if Harry the Eighth had never stripped them of any thing, whereas he left them little but their vows to feed upon ; nor have they had any other food by the rules of law in this country since the Reformation : and therefore, to suppose that a few obscure nuns, living in a garret, could, by scat-

tering their wealth in this country, eclipse our established church in splendour, and thereby become dangerous, appeared to him to be absolutely ridiculous. Indeed, it was much to be apprehended, that this bill had its origin in a mixture of other motives than those that were merely religious; or it might possibly arise out of a controversial spirit. This spirit had lately shewn itself, more particularly at Winchester, where the emigrants were not very popular, as perhaps it was natural for the people to be somewhat angry at seeing the King's Castle there garrisoned only by French priests. Mr. Sheridan then mentioned the controversy that was now carried on between Dr. Sturges and Mr. Milner, on both of whom he bestowed the praise of erudition and abilities. Dr. Sturges, he was sure, did not want parliamentary assistance to aid him in refuting Mr. Milner's doctrines, though the latter indeed was rather a formidable antagonist. He next instanced the cruel treatment received by M. l'Abbé Fleury in Hampshire, who had been torn from his home by an order from the Secretary of State, though it was not yet known what crime had been laid to his charge, and the most respectable testimonies had been given to his character by gentlemen who had an opportunity of observing it for seven years. All these papers and documents he was ready to lay before the House; and he hoped their justice and candour would not think it too much, that this evidence should be inquired into before the bill was farther proceeded on. It was merely his wish, that a Committee might be appointed to inspect them, and report whether they saw any necessity for the measure. Nothing, in his mind, could be more inauspicious than such a bill at this time, when we were about to receive into the country a number of representatives from Ireland, upon an idea of an Union of interest as well as political shew, an Union with a country three-fourths of whose inhabitants were Catholics. He concluded with observing, that this bill was not worthy of being, as it were, the legacy of the last English Parliament to its successors; that it was hurtful to the feelings of the Catholics, incompatible with our professions of liberality, not countenanced by the spirit of our Constitution, the basis of which was freedom, and possibly introductory of great public mischief, as well as private vexation. Under these considerations, he should end with a proposition "That the House do appoint a Committee to inquire into the state of these religious houses, &c. and proceed no farther until it had some evidence upon the subject, upon which to deliberate;" for which purpose he would move "that this examination be adjourned to Monday next."

Mr. SPEAKER said, that the motion of the honourable gentleman could not at present be put ; for the question was, " That he do now leave the chair," which must be disposed of before any other be put ; should it be the pleasure of the House to negative that question, it would then be competent to the honourable gentleman to move his proposition, or indeed any other he should think good to make ; but till then the rules of the House would not admit of it.

Mr. PERCIVAL said, he could not concur with the honourable gentleman who spoke last, nor with another on the same side of the House with himself, that this subject was too insignificant to deserve a debate in the House ; neither did it appear to him to be unworthy of being the last solemn act of the English Parliament ; for it was, in his opinion, a measure extremely important to the religion of the country, and, in that character, highly interesting to us all, as intimately connected with some of the most endearing parts of our constitution. He would not accept of the challenge thrown out to discuss the evidence of the conduct of the Catholics, because, in the view he had of the subject, the conduct and the character of these gentlemen was wholly immaterial to the question now before the House, which was a question of general policy, not on any ground of guilt in any of the parties connected with these societies. He went on another ground, a ground of regulation of Catholic institutions in this country, a measure that appeared to him to be so far from being improper on account of the religious houses being of so late an establishment (which had been stated to be the mere establishment of to-day), that he would say, if, instead of their being established here to-day, they had only sailed from some part of the Continent with intent to come into this country, it would not be too soon for the Legislature to set about making some regulations for them whenever they should arrive ; for we not only had a right to do this, but it was of the very essence of an important branch of the Constitution that some such regulation should take place. Some gentlemen might think the ground of necessity was not sufficiently clear ; he was at variance in opinion with those who thought so. He considered it as the spirit of the Catholic persuasion to make as many converts as possible—indeed it was the principle of every religion to a given extent, but emphatically so of the Catholic ; and, therefore, while we were talking of kindness to the Catholics, and while we expected gratitude from them for such kindness, we were not to be surprised if that gratitude consisted in their endeavouring to convert the whole nation into Catholics ; nor ought we to be angry with them for such an attempt, for they be-

lieved they could not obtain for us a greater blessing than to make Catholics of us all ; but it was our business to be on our guard against such a spirit, since it was inconsistent with the spirit of our Constitution. He said this the more readily, from a conviction that the Catholic religion would soon be established in France—and this the very latest accounts received from the Continent seemed to shew ; for when the French entered Milan, the first thing done was to issue a proclamation, to assure the inhabitants that the Catholic religion should be respected : indeed, he who could assume the Mahometan in Egypt for political purposes, could not have much difficulty in assuming the Catholic in France ; and therefore, if the power of the First Consul continued many months, he had no more doubt than he had of his own existence, that the Catholic religion would be established in France. Now he would not say a word against toleration ; there was not in England a man who had more esteem for it than himself ; but that did not compel him to lay aside all precaution against the possible effects of the over-growth of Popery in this country. He should not wish to see the hair of a man's head hurt on account of his religious opinions ; but that did not compel him to think that Catholics are the best subjects to this country. He thought the bill ought to go into a Committee, in which he hoped to see some amendments adopted.

Sir WILLIAM SCOTT explained.

Dr. LAURENCE deprecated the measure, and adverted to its peculiar impolicy at the present moment. It was well known, he observed, that the advocates for the Irish Union circulated throughout that country the idea that the Union would lead to the final relief of the Catholics ; and he had reason to know the fact, that many of them were induced to sign addresses in favour of the Union under that impression. The bill in question went to brand them all as sectaries, and even to treat them more harshly. It was that way (in consequence of such invidious distinctions as already in some degree existed) that the Catholics most sorely felt the oppressions under which they laboured—the marked distinction which the bill went to attach to the Catholics with respect to schools, would prove the most galling of any ; the restrictions to be imposed, and the powers given to justices, would be grievous in the extreme. In what related to the great concern of education, they were even branded with obloquy.—Why ?—He would ask, Was the child of a Church of England Protestant more in danger from a Catholic than from a Sectarian tutor ? The latter certainly differed as much from the doctrines of the Church of England as did the Catholics ; and by some, they were held to differ more widely, and that much

real danger was to be apprehended from the laxity of their tenets on the score of atheism and infidelity. Why then attempt to brand the Catholics with such invidious distinctions, or increase the penalties upon them? At the present moment, it was not only unjust, but impolitic. No doubts could be entertained, as was suggested by an honourable gentleman arguing in favour of the bill, of the illegality of the establishments and endowments. He did not mean to say they were legal; but a proper distinction should be drawn between those and voluntary vows, which were not illegal; and upon these the bill most materially trenched. He asserted, that it was not possible to prohibit voluntary vows, without direct persecution; and the bill could not be proceeded with, consistent with justice, wisdom, and equity, particularly in those provisions which went invidiously to distinguish the Roman Catholics from every other species of Dissenters. At the present moment such a step must even be dangerous, when such a ferment existed in the popular mind, arising from the effects of unavoidable scarcity, and the pressure of the public burthens: the populace might want victims for their fury; and to have these persons pointed out by being branded with such distinctions, and those sanctioned by the authority of that House, might lead to consequences ever to be deplored; and he must censure the idea, that a degree of real danger in the country then called upon the Legislature to go the length of passing a bill which in certain points undoubtedly went to establish a system of coercion.

The SECRETARY AT WAR spoke shortly in explanation; and observed, that with respect to the positive advantages of monastic institutions in a country, he had given no decided opinion; it was a point on which he knew that very able men entertained considerable doubts.

The question being called for, a division took place, when there appeared,

For the Speaker's leaving the chair, 52; Against it, 24. Majority, 28.

The House resolved into a Committee upon the bill *pro forma*; and the Chairman was directed to report progress, and ask leave to sit again.

HOUSE OF LORDS.

Tuesday, June 24.

Earl TEMPLE, accompanied by the Chancellor of the Exchequer, and several Members, brought up from the Commons a bill, intituled, "A Bill for the Union of Great Britain with Ireland;" which was laid upon the table.

Lord GRENVILLE then moved the first reading of the Union Bill; which being read, his Lordship moved, that the bill be printed for the use of the House. He then gave notice that on Tuesday next he should move the second reading of the bill, for which day he moved that their Lordships be summoned; which was ordered accordingly.

HOUSE OF COMMONS.

Tuesday, June 24.

Mr. Chancellor PITT moved the order of the day for the third reading of the bill for the Union of Great Britain with Ireland.

The question being put, that this bill be now read a third time,

Mr. TIERNEY observed, that by the resolutions as they now stood, Ireland was to have 100 representatives in the House of Commons. Now, if it should hereafter appear that 668 members was a number too large for the general representation, he wished to know, whether there was to be any objection that Ireland should bear a part of the reduction, if any reduction should be thought necessary; or whether, at all events, we were to guarantee to Ireland its 100 Members? He wished to know, whether any means were to be adopted to obviate a difficulty that might arise in this particular?

Mr. Chancellor PITT said, he was not aware of any difficulty there would be, and therefore there did not appear any thing to be obviated. The resolutions he understood to be felt to be such, that no obstruction was likely to be offered. Nothing of this kind occurred in the case of Scotland.

Mr. TIERNEY observed, that the resolutions were in words, "Resolutions agreed upon for ever," which implied upon the face of them that no alteration should ever take place.

Mr. Chancellor PITT said, if any thing was now offered by way of provision upon this subject, which did not differ from the resolutions already agreed to, such a measure would be useless. If any thing was offered that tended to alter any part of these resolutions, he should oppose it.

The bill was read a third time and passed, and ordered to be carried to the Lords by Lord Temple.

Mr. TIERNEY said, that he meant to move this session the same resolutions with regard to finance which last session he had the honour to submit to the House; but he was unable to collect the necessary materials, from those accounts being still withheld which had been so often called for and so often promised. The right honourable Chancellor of the Exchequer had never yet produced the treaty said to have been concluded between His Majesty and the Emperor of Germany, and had kept the country in the dark with regard to the manner in which he meant to subsidize foreign powers. These papers ought to have been presented long ago; but they were now more loudly called for than ever; and he trusted the right honourable gentleman would name an early day, when he would certainly produce them. From the events which had recently occurred on the Continent, he hoped that the idea of sending subsidies abroad was completely abandoned.

Mr. Chancellor PITT said, that he was still unable to fix upon the day when he should have the honour of laying before the House copies of the treaties concluded between His Majesty and his allies; but it should certainly be as early as possible, since he was as anxious to present them as the honourable gentleman could be to see them presented. He begged leave at the same time to assure the House, that he was very far from thinking it would be expedient to abandon the plan of granting subsidies. If our allies were inclined to persevere in their laudable exertions in favour of the common cause, he did not see why we should be induced to withhold from them our assistance from any rumours which might this day have been spread abroad.

Mr. TIERNEY replied, that at the present advanced stage of the session, it was of the utmost importance that a notice should be given of the day when these documents might be expected. Candour and fairness required a more explicit declaration from the honourable gentleman. It was a subject of too great importance to be brought down on one day, and allotted for the discussion of the next. Now it was understood that public business was over for the session, and such a business as this should not be brought forward at all in so late a period of the session; or if it was, there should be

allowed a fortnight's notice of it.—He should think, indeed, that a call of the House would be proper on such an occasion.

Mr. JEKYLL said, he deplored the condition of this country, if any further subsidy was to be sent to any foreign power; or that the right honourable gentleman should persist in any such measure as a subsidy.—After the recent events on the Continent*, he should have hoped the idea would be altogether abandoned; or, if persisted in, that the right honourable gentleman would, at least, assent to a call of the House. He was confident that the people of this country wished their constituents to vote against such a measure as that of a subsidy. He was confident the people wished not to see a single guinea go out of this country for the support of the present war.—His object was to know, whether the right honourable gentleman would object to a call of the House, or not?

Mr. Chancellor PITT said, he had heard nothing that made it appear to him to be his duty to say any thing upon the subject alluded to by the honourable gentleman; he would add, however, that a call did not appear to him to be necessary under the present circumstances of affairs.

Mr. SHERIDAN said, that from the news which had that day been received, the necessity of honourable members attending at this awful crisis must be evident to every one. A call of the House might occasion inconvenience; but was the most sacred of duties on that account to be sacrificed? It would, he confessed, be a disagreeable task; but on Friday next he himself should move for a call of the House. He should have fixed upon Thursday, as being an earlier, and therefore on this urgent occasion a preferable day, were it not that a most important trial was that day to take place, which would engage his learned friend.

Mr. Chancellor PITT said, that the rumour which reached town to-day, honourable gentlemen seemed to take for granted to be authentic—now, upon that subject he would only say, that it was of no other authority than a telegraphic account from Paris.—He did not say it was not true; but it did not come in such a shape as to be considered as authentic. However, the question of the call was to be brought forward, and this was not the season to say any thing upon it.

Sir H. MILD MAY moved the order of the day on the bill for regulating monastic institutions.

The question being put, “That the Speaker do now leave the chair,”

* Alluding to the defeat of the Austrians at Marengo.

Mr. SHERIDAN rose to oppose the Speaker's leaving the Chair. He maintained that the bill would occasion the very evil it was intended to remedy, and supported this position at considerable length and with great ingenuity. It was said in the preamble of the bill, he remarked, "that whereas certain religious societies had come over to this country, it might be expedient to permit their continuance." They would only be monasteries after the passing of the bill, for at present they were not under vows; they claimed no power of controuling their members, or compelling their residence; they were subject to the visitation of magistrates. Their association was not in violation of any one existing law.—Afterwards it was proposed to place them on the footing on which they stood on the Continent, and then indeed they might be objects of jealousy.

Mr. ERSKINE, from nothing that he had heard, was inclined to change the sentiments he had expressed yesterday. The present bill was meant to protect Catholics in their religious privileges; whereas, as the law now stood, they were liable, every time they collected into any kind of strict religious society, or attempted any plan of instruction, to be interrupted by informers. According to Sir George Saville's act, no Catholic could exercise his religious rites without being liable to very heavy penalties. Those persons, therefore, who think themselves bound by conscience to this mode of worship, will, under the operations of the present bill, be relieved from much disagreeable uncertainty.

Mr. SHERIDAN said, he would defy all the lawyers in the world to answer the objections which had been brought against it.

Mr. Erskine having left the House, Mr. Sheridan challenged any of the gentlemen of the long robe present to defend the law that Mr. Erskine had advanced; but it was declined.

Mr. SECRETARY AT WAR said, that this bill was to establish the monasteries now existing in England. If to establish was meant to tolerate, the bill was altogether nugatory, since, as had been ably shewn by the honourable gentleman over the way, they were quite conformable to the present laws. *Ab absurdo*, therefore, it was probably intended, by establishing them, to erect them into independent corporations, as they were in France; and could any one, particularly could the dreaders of Popery, consider such a measure as expedient? If the King's license to be granted in virtue of this bill is necessary to the residence of these priests and nuns in England, then the withdrawing of that license must render their residence illegal, and hundreds of British-born subjects would be driven from their native home.

Mr. BUXTON said, that the ingenuity of the right honourable gentleman's (the Secretary at War) arguments convinced him of the extreme difficulty and delicacy of legislating on the subject of monastic institutions, institutions not known to the laws of this country ; and from what he heard, he now thought it his duty to support the bill. The House were in possession of facts, as stated last night by an honourable Member (Mr. Hobhouse) on the veracity of the letters of a much-respected nobleman to which he referred, and these he thought were good general grounds to proceed upon. Those monastics, as introduced by our compassion into the country, flying from the storms and persecution of their own, apply to us for protection ; and under this view he thought them entitled to such protection as the Legislature could with safety yield to them. But from a cautious and rational regard to the interest of this country, he would wish, on the suggestion of an honourable and learned gentleman, that the act should be limited to a certain period. Our ancestors always manifested a jealousy of those institutions, as the history from Henry I. to Henry VIII. and the several contentions between them and the Parliament, and the statutes of Mortmain, together with others which were passed, restraining them from gathering up the property of the country into their own hands, fully evinced. He said, he was a friend to toleration, but he felt it was his duty to restrain it within certain points ; and to have done with it when the religious opinions became so enormous as to be injurious to the interests of the community. Popery had certain opinions of that kind, and he would be free and bold enough to make the assertion ; but from the temperate character of the persons described in the bill, and the temperate tone it adopted towards those persons, he would support it.

Mr. WILBERFORCE said, he was a friend to a qualified toleration, and could not conceive how we could be said to grant it, unless we permitted to persons the exercise of their rites, ceremonies, and forms of religion ; and this we profess to do, unless those institutions trenched considerably upon our own civil and political rights and liberties. He thought, indeed, from what he heard, that those institutions had availed themselves considerably of the advantage of the establishment they made in this country, and that proselytism had gained ground. He wished for information on this point, and did expect, from the genius of that religion, which has a tendency to propagate its doctrine, and a zeal to make converts to its faith, that it had made some progress. If so, he said we should take such measures as would be benevolent to them and just to ourselves, and should make laws to restrain its growth. He

wondered to hear it said by an honourable member on the last debate, that all dissenters were of one character and description, and that there was no great difference between them ; when it was well known of the Catholics, that they were all inimical to what they called the Protestant Herefy. Possessed of such opinions, he would advise the Legislature to guard against them with circumspection, but not to treat them as criminals for points of faith. They were entitled to protection and compassion ; for, as described by a member on last night, they were cast as a wreck upon our shores. He would inculcate the great rule of life, " Do unto others as you would be done by." The Legislature should prevent the making of converts, or the taking of children into their schools and teaching Protestant pupils ; acts injurious to the Protestant and civil establishments of the country. But he had not heard, from any inquiry he made, or from any information he received, notwithstanding the great difference it may be supposed to make between having those monastic institutions at the door, and having them abroad, that only a single Protestant person had entered, after all the alarm spread, upon the imagined mischief. He would not take up the time of the House in farther opposing a bill that he deemed so unnecessary. He would wish a better security against such apprehensions than parliamentary proceedings, statutes, &c. He would wish the country should find its security in its morals, its manners, the mildness of its institutions, and its own religious institutions. It was in this, as in all human establishments ; men put their trust in their walls and batteries, as in strong holds, instead of their own native energy and vigour. Wise men should not depend for their support on bills or acts, but on the example and influence of the wise, the good, and pious, which is the soundest support of every establishment and every State.

Mr. SMITH said, after what he had heard, he had nothing new to offer ; but, having risen, he would state two short arguments. The bill was either a restraining, or an enabling bill ; if the former, as a friend of toleration, he would vote against it ; but if an enabling bill, he would vote for it : the latter it was not, for it was far from being such, being opposed by those very persons whom it was said to favour. Its procedure was curious. A fact was first assumed as ground of supposition, and then supposition was given as fact, and then motives of delicacy assigned as reasons why that fact should not be shewn or proved. The very persons themselves in whose favour it is proposed, deprecate this delicacy ; and he hoped the good sense of the House would not suffer such a bill to go further.

Mr. BRAGGE rose to reply to the arguments of the Secretary at War, and those of the two last speakers. He entered upon a general view of the question, as to its legality and policy, maintained that neither monks nor nuns were necessary to the Catholic religion, and that no restraint upon them could be thought to interfere with the principles of toleration. He said, the grounds of general information of such persons being formed into societies in the country, were sufficient for the Legislature to proceed upon; and that many bills passed in course were brought in on lighter grounds. Mr. Bragge commented on the expression of Mr. Wilberforce, which he thought light and unguarded; as the same aspersion might be thrown on all laws to be passed in that House, by saying, "trust to morals, manners, &c. and do not make laws, as a remedy for the evils complained of."

Mr. WILBERFORCE explained himself. The expression did not carry that meaning; his meaning was, that the remedy now proposed, in case of such an evil, was likely to be ineffectual, and legislation would therefore be to no purpose.

The question was then put on the Speaker's leaving the chair, which was carried without a division. The House went into a Committee, and

Mr. SHERIDAN opened the debate, by strongly affirming, that his honourable and learned friend, Mr. Erskine, did not understand the 31st act of George the Third, which was the hinge on which this discussion turned; and he hoped that some friend would tell him what he said of him, that he might have an opportunity of confronting this charge, which he (Mr. Sheridan) made against him, as this act was in itself a charter to the Catholics in question. He then moved to report progress.

Mr. PERCIVAL answered Mr. Sheridan. He maintained, that the present bill furnished more ample protection to the Catholic institutions than any other regulation; and said that, unless it passed, they would be subject to every hardship and inconvenience imaginable from a rude populace, who may from impertinent curiosity intrude into the meetings of the nuns whilst celebrating the ceremonies of their religion.

The Committee was proceeding slowly on the clauses of the bill, when

Sir HENRY ST. JOHN MILD MAY, anticipating the disposition of counting out the members, accepted the proposal of reporting progress. He then moved that the Chairman should report progress, and ask leave to sit again on Friday, which was agreed to.

HOUSE OF LORDS.

Wednesday, June 25.

Lord BRADFORD, (late Hon. Mr. ORLANDO BRIDGEMAN, M. P. for Wigan), was sworn and took his seat according to the Peerage, on the demise of his father the late Lord.

A message was sent to the Commons, requesting that the Exemplification under the Great Seal of the Representation Act of the Parliament of Ireland, which their Lordships understood was in the possession of that House, might be transmitted to them, &c.

After a short interval the Masters in Chancery returned, and informed the House, that the Commons had thought proper to send the document requested by them. The exemplification was then read, and laid upon the table.

HOUSE OF COMMONS.

Wednesday, June 25.

Mr. BRAGGE reported from the Committee of the whole House, to whom it was referred to consider of several acts passed in the 26th and 29th years of the reign of His late Majesty King George the Second, and in the 12th, 28th and 39th years of the reign of His present Majesty, relative to the performance of quarantine, and for the several purposes therein mentioned, the resolutions which the Committee had directed him to report to the House; which he read in his place, and afterwards delivered in at the table, where the same were read and agreed to by the House, as follows, viz.

Resolved, That His Majesty be enabled to direct the sum of 65,000*l.* to be issued out of the consolidated fund, for the purpose of erecting a lazarette on Chetney-hill, in the county of Kent, with necessary and convenient accommodations, for the purpose of performing quarantine, and for defraying the expences attending the same.

Resolved, That there be charged for every ton burthen of every ship or vessel, the cargo of which, or any part thereof, shall have performed quarantine in this kingdom, and which shall have arrived from any part of Turkey, or from any port or place in Africa, within the Streights of Gibraltar, or in the West Barbary on the Atlantic Ocean, with a clean bill of health, a duty of 7*s.* 6*d.*

Resolved, That there be charged for every ton burthen of every such ship or vessel which shall have so arrived without a clean bill of health, a duty of 15s.

Resolved, That there be charged for every ton burthen of every ship or vessel, the cargo of which, or any part thereof, shall have performed quarantine in this kingdom, and which shall have arrived from any port or place whatever, except from any part of Turkey, or from any port or place in Africa, within the Streights of Gibraltar, or in the West Barbary on the Atlantic Ocean, with a clean bill of health, a duty of 3s.

Resolved, That there be charged for every ton burthen of every such ship or vessel which shall have so arrived without a clean bill of health, a duty of 10s.

Resolved, That there be charged for every ton burthen of every ship or vessel, the cargo of which, or any part thereof, shall consist of goods, wares, or merchandize, the growth, produce, or manufacture of Turkey, or of any port or place in Africa within the Streights of Gibraltar, or in the West Barbary on the Atlantic Ocean, which shall have performed quarantine in this kingdom, and which shall have arrived from any port or place in Holland, or from any port or place whatever at which there is not a regular established lazarette for the performance of quarantine, a duty of 7s. 6d.

Resolved, That there be charged for every ton burthen of every ship or vessel which shall have so arrived under such circumstances as shall induce His Majesty, by and with the advice of his Privy Council, to subject them to like quarantine as ships arriving from Turkey without clean bills of health, a duty of 15s.

Resolved, That there be charged for every ton burthen of every ship or vessel, the cargo of which, or any part thereof, shall have performed quarantine in this kingdom, and which ship or vessel shall enter inwards in the port of London, an additional duty of 1s.

Resolved, That it is expedient that the several laws now in force for the performance of quarantine should be amended and made more effectual.

Ordered, That a bill be brought in upon the said resolutions; and that Mr. Bragge, Mr. Douglas, Lord Hawkesbury, and Mr. Ryder, do prepare and bring in the same.

Mr. Secretary DUNDAS acquainted the House, that he had a message from His Majesty to the House, signed by His Majesty; and he presented the same to the House, and it was read by Mr. Speaker as follows, viz.

"GEORGE R.

"His Majesty acquaints the House of Commons, that conventions have been entered into by his direction, with the Hereditary Stadtholder of the United Provinces, for placing, at His Majesty's disposal, certain ships of war and seamen, together with a body of land forces, which, in consequence of their submitting to the authority vested in his Serene Highness as Captain General and Admiral of the Union, had been passed over to this country. His Majesty has given orders, that copies of these conventions should be laid before Parliament; and he recommends to this House to consider of such provisions as may be necessary to enable His Majesty to fulfil the engagements he has entered into with his Serene Highness, and to avail himself of the service of the said ships, seamen, and troops, for the further prosecution of the war, or in such manner as His Majesty may think proper, for the interests of this country.

"G. R."

Ordered, That His Majesty's said most gracious message be referred to the consideration of a Committee of the whole House.

Resolved, That this House will to-morrow morning resolve itself into a Committee of the whole House, to take His Majesty's said most gracious message into consideration.

Resolved, That an humble address be presented to His Majesty, to return His Majesty the thanks of this House for the gracious communication contained in His Majesty's message to this House.

Ordered, That the said address be presented to His Majesty by such Members of this House as are of His Majesty's most honourable Privy Council.

Mr. Secretary DUNDAS then presented to the House, by His Majesty's command,

No. 1. A paper, intituled, "Terms on which His Majesty has agreed to take into his employment the Dutch ships of war which surrendered to His Majesty's fleet under the command of Vice Admiral Mitchell, to be held for the orders of his Serene Highness the Prince of Orange, in the Vlieter, on the 30th of August 1799;" and also,

No. 2. A paper, intituled, "Terms for receiving the Dutch troops of his Serene Highness the Prince of Orange, under the command of his Serene Highness the Hereditary Prince of Orange, into His Majesty's service."

Ordered, That the said papers be referred to the consideration of the Committee of the whole House, to whom His Majesty's said most gracious message is referred.

The Executory Devise bill having been committed, Mr. Bragge in the chair,

The MASTER OF THE ROLLS said, that he was fully convinced of the necessity of some measure of this kind. The establishment of a late very extraordinary will (Mr. Thelluffon's) had since encouraged others to make even more extravagant devises, which might eventually become detrimental not only to the individuals concerned, but also to the interests of the State. The present bill, however, was merely prospective, and so far from having any retrospect, that it was not meant to interfere with the provisions of any wills that had hitherto been made: neither did it prevent the testator from making any limitations he thought proper, only not to extend them beyond the term of twenty-one years, or the life of some one person then in existence.

Mr. SECRETARY AT WAR said, he should not then enter at large into a discussion of the measure, but considered it to be of extreme importance, and very sensibly to counteract the views of those who wished to become the founders of great families, which was the leading object of many, and had been encouraged from the commencement of all states and societies, at least in Europe. He trusted, that when the bill should pass through the Committee, it would be printed in its amended state, and an interval of some months given for the country to consider of it.

Lord HAWKESBURY contended, that the policy of our laws allowed of limitations from the earliest periods, as in the case of entails, which were suffered to extend beyond persons at the time in existence, lest too great a mass of property should be in the possession of an individual, to the danger or injury of the State. After some further conversation, the amendments were agreed to, and the report received and ordered to be printed.

The MASTER OF THE ROLLS moved, that it be taken into consideration this day se'nnight; to which

Colonel ELFORD moved an amendment, by substituting the words "this day three months."

A further conversation then arose, in which it was suggested, that by interposing a delay of any length, some of the persons who had made wills with extravagant limitations might die, which would render it necessary to provide by this bill to make such wills invalid.

The MASTER OF THE ROLLS said, that the framers of this bill designed to allow six months, or some reasonable time, for persons who might have made such wills to alter them; after which,

the trustees would not be authorized to act under them ; but it will be for the House to consider, in a future stage, whether or not they would grant that indulgence.

At length the amendment was withdrawn, and the original motion carried, for the further consideration on Wednesday.

HOUSE OF LORDS.

Thursday, June 26.

The Duke of BEDFORD, alluding to the resolutions which had been brought up from the House of Commons respecting inclosures, called the attention of their Lordships to them on account of their vast importance, and moved that they should be printed, in order that each noble Lord might have an opportunity of considering them more deliberately.—Agreed to.

Upon the order of the day being read for the third reading of the Pigot Diamond bill,

The Duke of NORFOLK rose to state his objections to the bill ; but he wished first to hear from some noble Lord the grounds upon which the bill was founded. No noble Lord rising, the Duke of Norfolk said, that he could not see any reasons sufficiently strong to induce him to accede to the measure. It militated, in his idea, against those principles by which property was governed, and tended to increase the evils which were allowed by all to result from lotteries. The only reason that was urged in favour of the great national lotteries was, that they tended to produce money for the public service. No reason of this kind could be adduced in favour of the present measure. With respect to the parties concerned, he had not the smallest animosity to them : it had been said, that upon trying to dispose of this diamond, the largest price that any one had offered was ten thousand pounds. Now the bill proposed, that there should be 11,000 tickets, at two guineas each. The produce of this lottery would be 22,000 guineas ; though, whoever was the gainer of the diamond, would not, as had been said, if he tried to dispose of the diamond, be able to procure a higher offer than 10,000*l*. Another objection was, that it interfered with the national lotteries : one was about to be drawn in another kingdom : but the great objection in his mind was, that it tended to encourage the principle of gambling, and to increase those evils which were generally allowed to flow from lotteries.

The Earl of WESTMORLAND said, that he should not enter into a view of the bills by which private lotteries were suppressed. But the present measure did not seem to be liable to those objections which had been urged by the noble Duke. With respect to the value of the diamond, very skilful lapidaries had been examined, and it had been given in evidence that it was worth nearly 30,000*l*. When the diamond was first bought, it was deemed a great speculation, and it might be that it had been intended to adorn the Crown. It had been forty years in the Pigot family, and during all that time it could not be disposed of. The circumstances of the case were peculiar. The produce of it was to be divided among several persons; one of those persons was of a great age; and unless it was disposed of in the way proposed immediately, it could not, as the property of that aged person would descend to minors, be sold for many years to come. With respect to the evils of insurance, it could not be said that this bill tended to increase them, for this lottery was to contain but one prize, and that was to be determined by the first corresponding number drawn in the English lottery. A few minutes, therefore, after the English lottery began drawing, would determine the prize in this lottery. His Lordship concluded by mentioning the services which the Pigot family had rendered to their country.

The Duke of NORFOLK said, that if the noble Earl and the House would consent to its being inserted in the preamble, that the application was granted in consideration of the services of Lord Pigot, &c. he would not object to the bill.

Lord CARLISLE was of opinion, that the bill rested already on general merits; and that all applications of a similar kind, if founded on equal claims on the generosity and justice of the Public, ought to be acceded to by that House.

After a few words from the noble Duke in explanation, the bill was read a third time and passed.

Lord GRENVILLE presented a message from His Majesty relative to the convention entered into between his Serene Highness the Hereditary Prince Stadtholder and His Majesty, similar to that delivered yesterday to the Commons.

Lord Grenville then moved a corresponding address to His Majesty upon the occasion; which was forthwith voted, and the Lords with white staves ordered to attend His Majesty respecting the same.

Lord Grenville afterwards moved the order of the day for the second reading of the bill for the Union of Great Britain and Ireland.

The bill was forthwith read a second time, and, on the motion of his Lordship, committed for to-morrow.

Friday, June 27.

The order of the day being moved for going into a Committee upon the bill, intituled, "An Act for the Union of Great Britain with Ireland," the House resolved itself into the same; Lord Walsingham in the chair.

The different clauses of the bill were then agreed to by the Committee without observation or amendment; and the House resuming, received the report, and ordered the bill to be read a third time on Monday.

Shortly after this proceeding,

Lord HOLLAND entered the House, and expressed his astonishment that a bill of such infinite importance, as an act for the Union of Great Britain and Ireland, should be hurried through a Committee with such precipitation, and, as he understood, at a time when the attendance was remarkably thin. There was not a clause of the bill but what was of great and various importance. He conceived it to be universally understood, that no important public business was to be brought forward in that House before five o'clock; under that idea, he, as well as other noble Lords who felt strongly interested respecting the measure, did not attend earlier; he must censure the indecent haste with which that important order of the day was disposed of, and could not refrain from saying, that it looked like a wish to take the House by surprise.

The LORD CHANCELLOR quitted the woolstack, and begged the noble Lord's attention to a very plain and concise answer to the observations he had pleased to make. The bill had been yesterday in the important stage of a second reading—the House was summoned upon it, and the attendance unusually full. Not a syllable was then said respecting the measure; the bill was then read a second time without a single observation having been offered, and ordered to a Committee. No Lord even at the time suggested the propriety of summoning the House upon the measure; added to that, in the present instance, all the previous orders of the day had been disposed of, and only that remained. Under these circumstances, it surely could not be said that there existed the least intention of surprise.

Lord HOLLAND replied, that it by no means followed, because a Peer did not move for a summons, that he might not wish to deliver an opinion upon any particular measure. At all events,

he thought, for the dignity of the House and the decorum of its proceedings, it should be decidedly understood that important public business should not be brought forward before a particular hour; for instance, five o'clock.

Lord Holland observing Lord Grenville enter, said, that he wished for some information from His Majesty's Ministers on a subject respecting which he felt himself entitled to receive a direct answer. It was now four months since His Majesty's Ministers had brought down a message from the Crown, stating that His Majesty required a provisional subsidy in consequence of a subsidiary treaty then negotiating with the Emperor of Germany and the Elector of Bavaria, which was likely to be finally adjusted very shortly, and by virtue of which considerable assistance would be furnished to the allied forces against France. His Lordship said, he had expected long before this to have heard whether that treaty had received its completion, and in that case to have seen it on the table. He owned he was somewhat desirous to see the articles of that treaty, and to be able to ascertain whether the Emperor of Germany had reserved to himself the power of making peace with France without the consent and concurrence of this country or not. As far as he could judge from the public events on the Continent, His Majesty's Ministers had shewn their utter incapacity to conduct the war, and had wholly miscalculated the forces of the allies, and the probability of the success of the present campaign. Having waited patiently for four months to see the issue of this treaty, for which a provisional subsidy had been granted, it would not, he trusted, be denied that he had a right to call for an answer.

Lord GRENVILLE said, that, with respect to the noble Lord's question, he would beg to call his recollection to the real state of the case; namely, that the treaty alluded to, as announced by a message from the Throne, was then described to be in a train of negotiation, and that, when it was completed, it should be laid before the House. The advance voted was, as stated to be, provisional, and with a view to a furtherance of the treaty. When those treaties were completed, and he should receive His Majesty's directions on the subject, he should, and not till then, hold it his duty to disclose particulars. Under the present circumstances of the case he could not answer the noble Lord further; and with regard to what fell from him relative to the miscalculations of Ministers respecting the events of the campaign, as it had no sort of reference to the question proposed, he should decline making any observations upon it.

Lord HOLLAND asked, was he then to understand that no such treaty had been concluded—at least, that it had not reached this country?

Lord GRENVILLE declared, that what he had already said was the only answer that appeared to him to be fit or necessary for him to give.

Lord HOLLAND then said, that the noble Secretary of State had given no answer at all.

HOUSE OF COMMONS.

Friday, June 27.

Mr. SHERIDAN.—“ Sir, I rise in pursuance of the notice I had the honour of giving on Tuesday last, in order to state the grounds on which I rest my proposition, of the necessity of a call of the House on Monday fortnight. I am aware how very unpleasant and inconvenient a motion of this kind is at all times, unless there exist very strong grounds for it. When I mentioned my intention on Tuesday of bringing forward such a motion, it was observed that the intelligence recently arrived from France, and on which I founded the necessity, was nothing more than mere rumour. I might have been disposed to have admitted the justice of the objection; but, Sir, it is with the deepest regret I inform the House, that I now understand Government has received the fullest and most authentic accounts of the truth, in every particular, of that disastrous intelligence. I find that the events which before existed only in rumour have taken place, and that the alarming consequences of them appear in a much stronger light than by the first doubtful statement of them. It is not my intention to take advantage of the opportunity the subject affords me, by going much at large into general topics of argument and observation, referring to the impropriety and impolicy of carrying on the war with the Republic of France, or of the necessity of an immediate peace and reconciliation with her present Government; but I shall confine myself entirely to those topics which will enable me to bring before the House the simple question, whether the present circumstances of the country, and the relative situation in which it stands with regard to its allies, are not materially altered since we last discussed the subject, and so much so as to call upon the House to review the reasons on which it then decided? and also to inquire, whether it is fit and proper to separate, and enter upon a long recess, leaving the

power of war and peace in the hands of His Majesty's present Ministers, of Ministers who have brought the country to its present situation, and whose hopes, promises, and predictions, with which they amused us, have failed in every instance—whether it becomes us to separate, without once more endeavouring to counsel His Majesty on this important and, to us all, interesting subject? When last this question was discussed, we were instructed by the prophetic speech and warning voice of that great man, whose absence the House, in common with myself, must regret upon this occasion, as to the utter impracticability of subduing the French Republic by force of arms. At that period, it was admitted, we were continuing the war for the purpose of restoring the House of Bourbon. Such was confessedly the object of Ministers. In order to persuade the House to coincide with them, as to the expediency of pursuing the war in order to restore the French monarchy, and supporting His Majesty's Ministers in refusing every kind of negotiation with Bonaparte, six reasons were adduced. Now I will put it to the plain understanding of every man of common sense, whether we have not had the fullest experience, that every one of those six grounds or reasons for continuing the war and refusing to negotiate have not wholly and completely failed? I ask, whether there is a single fragment of any one of them remaining? To prove that there is not, I will recapitulate them in their order. The first reason was, that we ought to wait for a better and more perfect acquaintance with the character of Bonaparte, and for some proof of the stability of the government of which he was the head. Have we not been enabled to form a sufficient estimate of his character, and need we require any further proofs of the stability of his power? I think the House and the Country may be satisfied on these points. The second reason was, the great, expensive and persevering support that we should receive from our powerful and magnanimous ally, the Emperor of Russia; and, even should his ardour in the cause relax, the assistance we were to expect from the Elector of Bavaria and the Princes of the Empire. We have had all the experience that was necessary, and it has proved to demonstration that the hopes formed of assistance from those powers have altogether failed. The third reason offered was a treaty with the Emperor of Germany, by which it was to be stipulated that neither Austria nor England were to lay down their arms but with the mutual consent of each other. Has any one heard of such a treaty having taken place? I know nothing of its having been concluded, nor indeed does the fact of the existence of such a treaty at all appear. The fourth and principal reason was to be found in the repossession of Italy by the Emperor. The

recent failure of his arms in that quarter has afforded us sufficient experience how premature were the hopes founded on that circumstance. The fifth reason was the increased spirit of the royalists in France. It was said they were certain of finding allies in the discontents of the jacobins; that they were to persevere till the family of Bourbon was reseatd on the throne of France; and that the divided state of that country furnished a ground of hope, that, with the assistance of this, we should see the object for which the war was commenced and carried on completely accomplished. Has not experience shewn how rash and fallacious such hopes were? has not the event proved that they were formed without the least knowledge of human nature, about which Ministers have talked so much? The sixth and last ground was the reduced and disorganized state of the French army. It was stated that such was the situation of the military power of France, that it was physically impossible for them to bring such a strength into the field as could produce success, or any thing like it. How just such a conclusion was, the House, after the events of the present campaign, are enabled to determine. Thus, Sir, I have stated the six grounds that induced the House, when the subject was last before it, to support His Majesty's Ministers in refusing what I must call the moderate, respectful, and apparently sincere overtures of Bonaparte.

Finding that every one of these grounds has failed, surely, Sir, I shall not be deemed a very unreasonable Member of Parliament, if I urge the House, before it consents to continue the war, to require at least six new reasons. The House will not, it cannot carry on this war upon those six grounds; which, I have clearly proved, by shewing that they have uniformly failed, must have been made by Ministers divested of all penetration, knowledge of the resources of the enemy, and capacity to conduct war with success, or make peace with honour. I can fancy but one reason that can possibly induce Ministers to continue the war with France. It may be, Sir, that after all the reasons they have alleged as the basis of that support which they received from the House; after all their vain boasts of their own triumphs and success, and the defeat and despair of the enemy; after all those hopes of the divisions in France having prepared the way for the restoration of its antient government, hopes which they pledged themselves to realize; after their unfounded, weak, and ridiculous assertions of the reduced and ruined state of the French army; and, above all, after their violent and unqualified abuse of that great man, for so he must be called, who is at the head of the French Republic; I say, Sir, after Ministers have so unnecessarily and unadvisedly committed themselves, it is natural

to suppose they would feel themselves in an awkward situation, if obliged to treat with the man who has been the object of their virulent and ill-timed abuse. I am sensible they would be placed in an awkward situation in treating with him at present. But shall their feelings be a ground for deferring the day of negotiation? Their wounded pride may make them wish to continue a war, though they are forced to abandon the grounds and principles on which they have hitherto carried it on. Were I a political friend of their's, I should say to them—"It is of much more consequence to stop the effusion of human blood, and heal the wounds of afflicted mankind, than to continue a war which desolates the earth, merely because your feelings would be hurt by entering upon a treaty for peace." But, Sir, ought the representatives of Great Britain to regard the pride or the feelings of His Majesty's Ministers, when they cannot be gratified without dooming to misery and death thousands of our own fellow-subjects, and thousands of our enemies? Sir, as to the character of Bonaparte, which, in my opinion, forms so prominent an ingredient in the present argument, though I should certainly not have referred to it had it not been so much the subject of declamation on the other side of the House; with regard to his character and principles, I would put it to the candour of Ministers themselves, if they possess any, as well as to the House, whether, since the period when they refused to negotiate with him, every action by which he has distinguished himself has not been eminently calculated to raise him in the good opinion of every man who judges without prejudice? That Bonaparte may justly be denominated an usurper, I admit; that he is a self-appointed dictator in France, I admit; but it must not be forgotten, that the situation of the country required the vigorous hand of such a dictator as he is. That Bonaparte possesses more power than is compatible with the liberties of France, I admit; but that he possesses more power than is necessary to protect the Republic, and to enable it to resist those enemies that seek to destroy it, is what I will not admit. What has been the species of abuse with which his character has been attacked? Not merely that he is an hypocrite, that he is a man devoid of principle, that he is not only divested of morality but religion, professing whatever mode of faith best answers his purpose; his enemies have not been content with these topics of censure, but his military skill and reputation have been the subject of their attack. It has been said, that the sailors on board our vessels before Acre laughed at his want of skill in war. But, Sir, we have seen religion obtain a tolerant exemption in her favour under the Government of this atheist; we have seen the faith of treaties observed

under the Government of this perfidious adventurer—the arts and sciences find protection under the Government of this plunderer; the sufferings of humanity have been alleviated under this ferocious usurper; the arms of France have been led to victory by this Tyro in the art and practice of war! Sir, I confess to you, I look back with astonishment to the period when that great General was so vilely libelled. I was wont to expect more candour, more elevation of sentiment, in an English gentleman. But the war in which we are engaged has deadened every heroic feeling which once gave the tone to the martial spirit of this abused country. Unfortunately for us, the French General has fully proved his title to heroic honours. Never since the days of Hannibal have such splendid events opened on the world with such decisive consequences. “*Cujus adolescentia ad scientiam rei militaris, non alienis praeceptis, sed suis imperiis; non offensionibus belli, sed victoriis; non stipendiis, sed triumphis, est traducta.*” Such is the man who, even in his military character, we had been taught to consider with contempt! Such is the portrait of the man with whom His Majesty’s Ministers have refused to treat. Sir, I should not have mentioned this, if government had not made his character a main question as to the continuance of the war, and if His Majesty’s Ministers had not shewn us that our hopes of peace must depend upon their ideas concerning it. I do say, that, considering the manner in which he has been treated by those Ministers, he has acted with singular moderation, humanity, and magnanimity; and therefore we have the evidence of facts as to his principles, and that evidence removes the main ground of objection to treating with him. There are moments in which it may be necessary to do justice to the merits of an enemy, but it never can be necessary to speak of an enemy with rancour. I have stated, Sir, that Bonaparte possesses much more power than is compatible with the liberty of France; but having always held the opinion that France ought to enjoy her liberty, and being persuaded that the death of that liberty would be effected by the combined powers forcing a government upon the people, I cannot but hope the time will arrive when France shall not only possess that portion of true liberty she ought to have, but that the government of this country will not consider its own security and the liberty of France inconsistent with each other. Sir, I may be censured for applying such a term as taste to a subject of such importance; but it does appear to me that the changes produced in the feelings of men with respect to their admiration of exalted or distinguished characters, in a great measure are to be attributed to the taste and fashion that prevail.

These are not times in which Kings have any reason to be proud of their wealth or superior power. The admiration of mankind is not confined to the characters of Kings alone; the world has had a lesson of the effects of their ambition. Bonaparte has shewn his country, that his object is to maintain the power he has attained by the moderation of his government; and I must hope, that when he has achieved the liberty of France, and his enemies have afforded him the opportunity of turning his attention to its internal regulations, he will, in giving it liberty, impart to it all the blessings and happiness of civilized peace. It must be in the recollection of the House, how much stress was laid on the conduct of this man with regard to the success of any negotiations for terminating the war. Has he not sufficiently developed his character, and given proofs of the security and permanence with which our government might conclude a treaty with him? I believe, Sir, it will not be denied for a moment, that the general voice is for peace, immediate peace, if possible; the necessity of peace is felt throughout the country, both in this House and out of it. But I am sorry to say that there is a degree of careless indolence and supineness that pervades all ranks of the people, which to my mind is the worst symptom of the declining liberty of a country. There is scarcely a man whom you meet, who has known the extent of the calamities of the present war, yet in proportion to those calamities has been a supporter of government in carrying it on, who has not received the news of the victories over the Austrians, our allies, with a smile; they observe, that the victories of Bonaparte will lead to peace. Look to the universal sentiment those victories have produced in the city: the funds have risen in consequence of them; the people feel that it is to the defeat of our allies alone that they can look forward for an alleviation of their calamities. If the people have suffered by the continuation of the war, it is to themselves they must look as the cause of their sufferings. They feel the distresses of the war; they will not say, "We will have peace," but are content to receive it as a boon from the enemy, through the disgrace of our allies. I know the people have only to meet in a constitutional way, and express their determination to have peace, in order to obtain it: but no; they wait till they receive it by the defeat and loss of honour of those with whom we are allied in the prosecution of the war. It is this supineness that I consider as a symptom of the decay of the spirit which once characterised the country. There never was a period when there appeared so little public virtue, so little independence of mind, as at present; it is to rescue it from such apathy that I make this motion. Referring

to what I professed at the outset of my observations, I shall not further occupy the attention of the House; but conclude with the motion I proposed to make; observing at the same time, that no one can be more sensible of the unpopularity of such a motion than I am; however, I do not know that there can be any objection to it. I put it to Ministers, whether they ought not to give every Member of this House an opportunity of attending the discussion of so important a question as that of peace or war, previous to the separation of Parliament? I shall now move, Sir, "That this House may be called over this day fortnight."

Mr. Chancellor FITT rose, and spoke to the following effect: "Sir, having attentively listened to the observations made by the honourable gentleman, and considered the nature of his motion, I think myself warranted in maintaining that the whole of his argument applies to one or two propositions. His chief object is calculated to lead to an immediate peace with the French Republic, or to induce the House to address His Majesty no longer to place his confidence in his present Ministers. As far as the call of the House goes, I would leave it to others rather than take part in the mere propriety of the measure; and I shall content myself with observing, that the call must in every possible view prove useless. It is evidently unnecessary, because if the question be admitted to possess strong claims to attention, its importance will operate as powerfully as any call of the House in producing the desired attendance. Were the House to acquiesce in the motion of the honourable gentleman, its compliance would produce many serious inconveniences. But, returning to the speech of the honourable gentleman, I cannot but remark, that if I were to argue on the reasons which he had stated, I should not trouble the House at any length; nor indeed am I inclined to say much, as most of his arguments are founded upon the recent news to which he has thought proper to allude, and which he undertakes to inform us is rendered so certain and authentic that it should, in his opinion, cause a complete change in the sentiments entertained and recognized by gentlemen during the whole of the session. I know not what to think of the honourable gentleman's idea of authenticity; but to draw any conclusion from the statements of the enemy alone, will scarcely convey to an unprejudiced mind a correct notion of authenticity. However authentic and official the articles of intelligence in question may be, though they do not even go so far as to be supported by the credit of the French papers—for I certainly have not seen them there—yet to draw a conclusion from such authorities without any farther inquiry, upon a subject in which all Europe is implicated, and in the prosecution of which our

exertions have been so honourable to ourselves, would be to decide without the common grounds necessary to form an opinion. On the imperfect and partial information of the enemy, the British House of Commons is called upon to interpose its advice with the Executive Government; it is called upon to exercise a power which it should never exercise without the most mature deliberation, and in cases of urgent necessity, for it is an extraordinary power;—it is called upon to concur in an address to His Majesty, without investigation, without a fair comparison of facts; and all this strange and unaccountable interference, so eagerly pressed by the honourable gentleman, is made to rest upon the authority of French papers. It appears, that to propose this conduct to the House is to propose, that without knowing the extent of the advantages gained by the enemy, without ascertaining the sum of the losses sustained by our ally—without consulting that ally with respect to the vigour of his present situation, and the magnitude of his future resources, whatever calamitous reverses he may have recently experienced, we should at once come to a decision, sudden and unexpected, where cool reflection and serious inquiry are most necessary. I trust, Sir, the House will never condescend to adopt a conduct so degrading, so imprudent, and so destructive of the dignified and exalted character which it has supported throughout the present arduous contest. We have escaped from dangers tenfold greater, we have surmounted obstacles much more difficult, we have extricated ourselves from perils more imminent and dreadful, than those upon which the motion is founded. We have triumphed in a crisis more alarming than the present; we have succeeded in rescuing our country from the ruin with which it was threatened, and afforded every chance of protection to Europe. When therefore we consider what we have done in times more pregnant with danger, shall we hesitate to declare that we will not, we cannot, shake the great and solid reputation we have acquired from our past exertions, by agreeing to a motion resting upon such feeble grounds? I believe the House will not hesitate to reject any measure of a similar tendency, and I am inclined to think that the honourable gentleman's friends near him would join in the opposition.

The honourable gentleman has told us, that all our exertions have failed: and he has enumerated, according to his own estimate, all those arguments which he supposes to have influenced us; but he has omitted the principal argument, and the very qualification upon which we all along stated the question of war. We did not rely upon the strength of Russia—the services of Bavaria—the sincerity of the Emperor of Germany, and the increase of his forces;

nor did we depend, as has been so often urged by the honourable gentleman, upon the exhausted state and misery of the French finances ; but we stated generally and clearly—‘ Is the situation of affairs such as to induce you to prefer peace to the continuance of war ? ’ We stated this to the country at large—we exhibited a fair balance of the advantages and disadvantages of both, and drew our conclusion in conformity to statements which were undeniable. That there is a serious change in military affairs, it would be idle to deny ; but does it follow from any recent vicissitude that what we concluded formerly was not right then ? Did Government promise, when it agreed upon facts and probabilities, that the Austrian army should be always victorious ? Did it enter into a solemn engagement that no unexpected calamities should occur ? Did it undertake to pledge itself that the talents of the Imperial Commanders should be equal to every exigency ? To terms of such a nature it never gave acquiescence ; it never could have consented. But did we not expressly say, that if the worst instead of the best consequences were to happen, we should not therefore be dejected ; but be prepared for the worst event, and exert our courage, talents, and resources, in proportion to the danger with which we might be threatened ? I must also observe, if it were even adviseable, under all the circumstances, to negotiate at the present moment, that I should consider the honourable gentleman’s motion at least premature. It would, indeed, be inconsistent with every principle of prudence recognised in the system of human action to decide, without comparing the intelligence of the enemy with the advices of our ally, and to give complete credit to the information that came from a hostile source. To call upon the House to adopt a conduct of that kind, is to require it to do an act of imprudence, of which no person in the common affairs of life would be guilty. If the accounts respecting the successes of the enemy were actually correct and authentic in all their particulars ; though upon that head I have my doubts, since it appears from what has reached me that the contest has been more severe than generally represented ; yet I must say, we should even in that case act more in favour of the enemy’s views than in support of our own interest by agreeing to the motion. But it may be asked, do we know the resources and the determination of our allies ? Are we to conclude, that though a convention may have been settled in one part of the theatre of war, our allies are not to prove victorious in any other part ? Is the fortune of war fixed and riveted on the side of the triumphant enemy ? Are we to come to a decision without gaining the necessary information from our allies with respect to their strength, their hopes, and their final resolution ? But,

Still admitting our full acquiescence in these statements, I must further demand, should we agree to enter into a negotiation in this place? I believe no gentleman in the House will answer in the affirmative. It would be to negotiate without knowing the wishes and the views of the enemy; it would lead to a separation of interest between ourselves and our allies; it would transfer every advantage to France, and deprive us of the favourable means of terminating the negotiation with honour and profit to our country. I cannot believe that a British House of Commons will be induced to come to the vote which the honourable gentleman proposes. I cannot believe that we have so soon forgotten what we have been, and what we have done, from the commencement of the contest to the present moment; how we opposed Jacobin principles with success, and saved our country from the depredations of Jacobin arms, and how alone we triumphed over the insidious arts and open violence of the common enemy. Let us then preserve that character which constitutes the pride and glory of Englishmen, the character of meeting every vicissitude with courage, magnanimity, and perseverance; and let us look with unshaken confidence to the issue!—Upon these grounds, Sir, I feel myself justified in giving my most decisive negative to the motion.”

Mr. T. JONES said, that he stood up to express his hearty approbation of the motion of his honourable friend; and he supported it, because, in his opinion, if ever there was a period, or if ever there were circumstances, which rendered it important to take the constitutional sense of the people upon the situation of the country and of public affairs, this was the time, and the circumstances now existed. The right honourable gentleman said, that this was not the place or the time for considering probabilities, and for deliberating on the expediency of negotiation. “If this is not the place, is it in Downing-street? If this is not the time, is it when Ministers shall have still more been disappointed in their expectations?” He declared, in the face of the world, that his humble endeavours should not be wanting to procure the blessings of peace to the country, by arguments used in that place. And, should the present motion be negatived, and it was consistent with the rules of the House to bring in a second time the same motion, he would introduce that of his friend a second time this session, under the full conviction that its tendency was peace. To peace he was a friend; and the arguments which had been used to set that blessing at a distance were, in his opinion, weak and absurd. He hoped to be excused for adverting to some of the motives which the right honourable gentleman had adduced for the continuance of the war. As to the

character of the First Consul, he was entitled to speak of it, as it was formerly calumniated. His honourable friend had compared that great man to Hannibal. It might be supposed that Juvenal was prophetic of Bonaparte in what he had written concerning Hannibal, in his tenth satire :

Parody. “ Expende Hannibalem.”
“ Expende Bonaparte.”
 “ Jam tenet *Italiam* ; tamen ultra pergere tendit :
 “ Actum (inquit) nihil est, nisi *Pæno* milite portas
 “ Frangimus, et *mediâ* vexillum pono *Suburrâ*.”

Mr. Jones then parodied the two last lines thus :

“ Actum (inquit) nihil est, nisi *Gallo* milite portas
 “ Frangimus, et *mediâ* vexillum pono *Viennâ*.”

His character would not perhaps be found so much wanting, if weighted with that of others. But *nefanda est veritas* seemed the favourite sentiment of the day. The Chancellor of the Exchequer had talked much of the glory of the allies ; but for his part, he could see nothing but defeat and ruin attending their schemes. It was eight weeks since the Imperial treaties had been asked for and promised, but they had not yet made their appearance. While, however, Ministers were thus, as they thought, strengthening their hands, was there no danger of an armed neutrality ? Was no interruption likely to take place in our commerce with Russia ? There was something, he feared, in these suggestions, more substantial than mere unfounded rumour. A call of the House, therefore, under the alarming situation of public affairs, he could not but think necessary ; and he should support the motion of his honourable friend.

Mr. SHERIDAN. “ I have little inclination, Sir, to trouble the House with any further remarks. I trust every honourable gentleman must be convinced of the propriety of my motion, from what has been already said ; but there were some expressions which fell from the right honourable gentleman who had just sat down, which I think it my duty to observe upon. He says that I was intemperate in my language. It might be so ; but certainly he has by no means set me an example of moderation. I can safely say that I never saw even him to lose his temper so much. His faculties seem to have been overwhelmed by his passions, for he communicated nearly as few ideas as if he had risen and beat a drum or sounded a trumpet. We had words in abundance, and fine-sounding words ; but argument we had none. He says, that I enumerated the six reasons for carrying on the war without the necessary qualifications, and that I omitted the principal reason of all, viz. the de-

ranged state of the French finances. Sir, I can safely declare that I am ignorant of the qualifications to which the right honourable gentleman alludes, and that I left out this mighty reason from my list because it was not mentioned by him and his friends when they maintained the propriety of persevering in the contest. They had frequently foretold the bankruptcy of France, and maintained that she was ready to sink into the gulf, and as often found their predictions erroneous and their assertions false. Afraid of again subjecting themselves to the charge of ignorance and temerity, or rather finding that the nation could no longer be duped by their state tricks, they abstained altogether from urging this argument against listening to the overtures of Bonaparte. The right honourable gentleman pleads in excuse for his conduct, that he never promised us success. He says, "We are good ministers, we have taken the most likely steps to promote the welfare of the country; but we have been disappointed, and things have turned out differently from what there was reason to expect." When I have shewn that every ground on which he has built has failed, that all his reasonings and predictions were erroneous, what kind of language is it for a Minister to talk of his promises? When he whom he lately boasted of as being a magnanimous and affectionate ally, has abandoned our cause, and is on the brink of hostilities with us; when those troops which he said would do more than supply the place of the Russians, are almost all cut to pieces, and the dominions of their prince in the power of the enemy; when the French armies, which he represented as completely disorganized and incapable of being recruited, are triumphing in every direction, and presenting a most formidable aspect to the whole of Europe; when the Austrians, whose triumphs were so highly extolled, who were affirmed to be in a state to continue their victorious career, and who were said to be unanimous with ourselves, have lost the whole of Italy, tremble for their capital, refuse to enter into a treaty with us, and are probably at this moment treating with the French; when the Royalists are all subdued and reconciled to the Republican Government, who, the right honourable gentleman assured us, were sufficient to restore Royalty in France; when that character which was abused and vilified, and loaded with every epithet of reproach, has shone forth with unexampled splendour, and given proofs of almost every excellence; the right honourable gentleman comes down with a puny, sorry, childish, pitiful excuse, and says he made no promises. What! is he not to be blamed for having been deficient of intelligence, for having despised advice, for having acted without deliberation and foresight, for having persisted in a system unjustifiable, impolitic and

ruinous, because he did not promise us success? He stands convicted of complete inability or gross misrepresentation. If he really believed what he said, he is destitute of that penetration, sagacity and soundness of judgment which are indispensably necessary to a Minister. If he was conscious of the real state of affairs, and foresaw the events which were likely to happen, and yet talked with confidence of victory, and obstinately persisted in the contest, no epithet of reproach and condemnation is too strong to be applied to him. Sir, I thought it my duty to move that the Members of the House should be called together before the recess, that their opinion may be taken upon the present alarming posture of affairs. My motion has no other object; and no imputation can be more false than imputing to me a desire of dispiriting the country, or encouraging our enemies. I do not despond; and I would rather shed the last drop of my blood, than see my country dishonoured, or lose its independence. It would be unpardonable in any Minister to dare to prorogue Parliament at a conjuncture like the present, when every day may produce events interesting to the existence of the State. I hope that he will not think of proroguing Parliament. I am astonished that he even objects to a call of the House. I have but a very few more words to address to you. I have proved that the six motives for carrying on the war with France have failed every one of them; and though the *onus probandi* lay upon the Minister, he has not deigned to assign any new ones. Does it not then follow, that the war should be discontinued, or at least that a full attendance should be procured, that the propriety of discontinuing it may be canvassed? How great is the responsibility that Ministers thus incur! If this system is continued, ruin must ensue. If I were to say that the French, having now a large body of troops at their disposal, might fit out an armament at Brest against our Colonies, and send it to the West Indies, the right honourable gentleman would assure me that such a plan is impracticable, and that our possessions in every quarter of the globe are in a state of security. But, after the fate of his predictions, would I, or would any one, give credit to them? Although he should, from his knowledge of human nature, declare it to be impossible, may we not, reflecting on the past, suppose that the Emperor of Russia may be influenced by the French, and declare war against his former allies? If he were to affirm that our commerce would continue to flourish, and our finances to be prosperous, would it be no answer to say, you have formerly been deceived? It is strange, indeed, to observe the manner in which these gentlemen apply experience to themselves and to others: They say that you should put trust in no one till you are

thoroughly acquainted with him, and that, if he has once acted improperly, he should never be trusted more. But they still claim confidence in themselves from all the world, although they have been repeatedly convicted of ignorance, incapacity, and presumption. I thought it my duty, Sir, to bring forward this motion; and now I leave it to its fate."

The House then divided—Ayes, 27; Noes, 124. Majority, 97.

The order of the day for the House to go into a Committee of the whole House on the subject of employing the ships and seamen taken from Holland, being read,

Mr. Secretary DUNDAS explained the nature of the subject before the Committee: He said, it was not to increase the number of seamen voted for the present service of the navy; nor was it to bring any additional pecuniary charge on the country: it was, in short, only to enable His Majesty to avail himself of the use of those ships, and the service of these men, in Dutch ships, and of course to subject them as His Majesty's present forces are to the provisions of a mutiny bill, without which there would not be any controul over them. The money for defraying the expence of this measure had been already voted in the vote of seamen for the service of the year. He should detail the matter hereafter, if any detail should appear to any body to be necessary. He should now only propose a resolution; if the House should go into a Committee on this subject, the bill he should propose to be offered on Monday, when the papers which belonged to the subject should be laid before the House; and afterwards he should propose that the whole of them should be printed, in order that the House might have an entire view of the matter. He therefore moved, "That this House do now resolve itself into a Committee of the whole House, to consider of His Majesty's most gracious message."

The SPEAKER observed, that as there was no new charge to be brought upon the public by this measure, it might be proposed without any impropriety at this moment; but if it had been to raise money on the public, it must have been deferred to a future day; the practice of the House requiring, in such a case, that notice should be given, but which in the present case required no such notice.

Mr. TIERNEY doubted, as the House was counted out yesterday, whether every measure did not of course drop, and that therefore there should be a fresh notice of the measure.

The SPEAKER observed, it was every day's practice, when a subject stood for discussion on a given day, and dropt for want

of a House, to take it up on the following day without further notice.

Sir W. PULTENEY observed, that these ships were taken while they were under the Dutch flag, and prize-money had been distributed to the captors. Now, if they were to be paid for as transports, that would indirectly bring a charge upon the people.

Mr. Chancellor PITT said, there was nothing intended to be given to the Prince of Orange for the hire of these vessels, unless they should happen to suffer unusual damage beyond the ordinary wear and tear, which was to be defrayed after peace. As to the distribution of prize-money in this case, there was none whatever given; all that the officers who were the captors in this case had had, they had entirely from the liberality of His Majesty.

The Speaker then left the chair.

Mr. DUNDAS said, that the best way to remove the objections of gentlemen would be, to read the motion itself, which was, "That the Chairman be instructed to move for leave to bring in a bill for empowering His Majesty to grant commissions to certain inhabitants of the seven United Provinces, and of the States of his Serene Highness the Prince of Orange, to serve on board certain ships, and to enlist in certain regiments, upon conditions therein to be mentioned." He said, that the soldiers and sailors were already voted; and that the only object of the bill was, to enable His Majesty to employ them in a more advantageous manner than he at present could.

Mr. TIERNEY said, that if these foreigners were included in the 120,000 British seamen which had been voted, the confidence of Parliament was grossly abused. They were not only foreigners, but men who had risen upon their officers, and delivered up their ships to the enemy. It was strange to form a treaty now with the Stadtholder, when all our former treaties had been concluded with the States-General. Nothing surely had happened of late which raised the pretensions of the Stadtholder to sovereignty. He had such a high opinion of him, and his conduct had been so exemplary, that he did not believe that he himself claimed it. It certainly was an empty name, for he had no subjects to command; and by this foolish conduct serious difficulties might be thrown in the way of negotiation.

Mr. W. SMITH said, if we had no occasion for these foreigners, then they were an unnecessary burthen upon us; and if we had, their place would be much better supplied by native Englishmen. He derided the idea of treaty with the Stadtholder for the ships. We took possession of several at Toulon in the name of Louis the

Eighteenth, which we still retained without a treaty with His Majesty; and he could see no distinction between the two cases.

Sir W. GEARY said, it was wrong to confine these men to Dutch ships, as improper distinctions would thus be made in the navy. He disapproved of employing them at all, and particularly of their having been employed without the consent of Parliament asked and obtained.

Mr. DUNDAS said, that if these seamen were not employed, others must, and that it was impossible to make an estimate of the number of Danes, Swedes, Americans, and Dutchmen, now serving in the navy.

Mr. W. SMITH did not conceive that the honourable Baronet's objection had received an answer. *

Mr. DUNDAS then proceeded to state, that any other distribution would be a departure from the usual mode.

Sir W. GEARY said, he had heard that the navy of Holland had objected to act against France; and he therefore thought it dangerous to admit Dutch ships manned by Dutch sailors exclusively into our service.

Mr. DUNDAS suggested, that there were some papers which he wished to be laid before the Committee; for which purpose he moved, "That the Chairman report progress, and ask leave to sit again." This was agreed to; and the House, being resumed, agreed to resolve itself into a Committee, to consider further of His Majesty's message, after the other orders of the day should be disposed of.

Mr. Dundas then brought up the papers alluded to, which were ordered to be referred to the said Committee.

Mr. MAINWARING, in pursuance of his notice, called the attention of the House to the subject of relief to the industrious poor of the metropolis. He said, that owing to the present most extraordinary price of all the articles of provision, many of the most industrious and frugal inhabitants of this metropolis were absolutely incapable of maintaining their families. As to the funds of those benevolent institutions which had been set on foot for the relief of the industrious poor, and which had been supported by voluntary contributions, those who were the leading trustees of that benevolence had now the mortification to find their funds exhausted, and that they were utterly unable to go on with the work which they had begun: therefore they prayed that the House would use such remedy as may be adequate to providing a moderate fund for the relief of the distressed inhabitants of London and Westminster, who, during the present price of provisions and the necessaries of

life, cannot support themselves without relief. He observed there were great numbers of such persons in the metropolis at this moment; and he was confident that humanity itself called for provision to a very considerable extent, to relieve these objects. He inclined rather to think that the increase of the poor rates would be better than that of depending upon a precarious bounty and uncertain benevolence. He thought the statute of the 43d of Elizabeth contained the principle which ought to be adopted in this case; which statute, by the way, might be enforced much further than had been the modern practice to enforce it; for it provided, that if one parish was not able to provide for its own poor, two justices might make an assessment upon another to provide for the deficiency, and so on through the whole hundred; and if the hundred should fail, then to go on to supply the deficiency by an assessment on the whole county; but this use was never made of that statute, although that was most clearly part of its provisions. It was upon that principle that he wished some parliamentary provision should now be made, with some alterations, and making the remedy, perhaps, more direct and speedy. He concluded with moving, "That the House do, on Tuesday next, resolve itself into a Committee of the whole House, to consider of means for the relief of the poor of the metropolis."

Mr. ROBSON objected to this, on the ground that the petitioners were not in reality what they stated themselves to be: they say they are the Committee of London and Westminster and the adjacent parishes; by *adjacent* parishes he supposed they meant the parishes of St. James, Mary-le-bone, &c.; he was authorised by seven or eight parishes to say, that they knew nothing of this petition, but utterly disclaimed it. He objected to the measure, because he thought the attempt to convert private benevolence into permanent taxation was very mischievous in its tendency: that it would prevent any future sources of benevolence, because it laid the foundation of a poor's rate of a most alarming nature, as confined to the metropolis. As long as this petition lies on the table, and the question is agitated, there is an end of all voluntary contributions. A man of 80l. or 90l. a year cannot live now, even should bread grow cheaper. He himself had signed last year eight hundred warrants of distress, and this was on a class of people that they were now going to tax by this poor's rate. He therefore moved, that instead of the word "Tuesday," the words "this day two months" be substituted.

Mr. RYDER thought that at all events the House should suffer the motion to be taken into consideration.

Mr. T. JONES said, that proposition had been handed about from pillar to post; and if the worthy magistrate knew what dissatisfaction it had given to more than 50,000 of the inhabitants of Middlesex, whom he (Mr. Mainwaring) represented, he would not have burnt his fingers with it. The alarm was extreme; he therefore would second the amendment.

Mr. Alderman CURTIS justified the conduct of the city of London, and the part which was taken by the benevolent Committee that held their meetings there.

Mr. I. H. BROWNE expressed a wish that no time should be lost in considering this important subject for the relief of the poor. He apprehended the general system of our poor rates to be very good, and this he took from the practical effect of it, and not from the theory of any speculative writer whatever; but yet there might be something wanting in addition to this system, at the present unexampled period of the high price of the articles of life.

Mr. W. SMITH said, that he was of opinion the petition should be referred, in order to see what measure could be grounded upon it; but in voting so far, he did not consider himself further pledged, neither would any other gentleman.

Sir W. MILNER expressed his wish to relieve not only the city of London, Westminster, &c. but the country in general, where the distress was most severely felt, and was ready to adopt any proposition for that purpose.

Mr. ELLISON requested the gentlemen to let the petition go to the Committee, to try the effects; and, if beneficial, to adopt them; if not, they could then reject them.

Mr. R. THORNTON explained the nature of the petition, which had its foundation, he said, in sentiments purely benevolent, and not in fordid and selfish views, as was insinuated.

Mr. BUXTON supported it on the grounds of the statute of Eliz. cap. 43. and said it was the most likely means of rendering the proposed relief effectual.

Sir W. PULTENEY objected to the plan, from its proposing that as a permanent law which should only be temporary: it was charging the richer parishes with the support of the poor; holding out a premium for idleness, and removing the necessary check, which the smallness of the parish funds gave to its idle and cumbrous expectants.

Mr. Chancellor PITT corrected the worthy Baronet's notion of the plan, by informing him, that it would not be permanent, but temporary; and considered it as one of the most equitable measures that could possibly be suggested for the relief of the poor.

Mr. MAINWARING confirmed that statement, and said the object was only for a short period of distress, to supply the deficiency of the poorer parishes, by calling in the aid of the rich. The question was then put on the amendment, which was negatived, and the original motion put and carried.

The House having resolved itself into a Committee for the consideration of the bill to prevent monastic institutions,

Mr. SHERIDAN said, he understood that the honourable mover of this bill had very properly made such alterations in it as would reconcile all the parties who differed concerning the measure: on that account he would not now oppose the bill.

Mr. HOBHOUSE highly approved of the alterations which had been made, but at the same time was sorry to find that a very important amendment, which had been suggested on a former night, had been omitted. He had then enlarged upon the cruelty of prohibiting "the admission of new members into religious orders or societies of persons, professing the Roman Catholic faith, and bound by monastic or religious vows or engagements." He had stated the wretchedness of these societies, if the vacuum produced by death were not allowed to be filled up. Each person, as her friends dropped off one by one, must live in a constant dread of being the last solitary survivor. He had also taken the liberty to put a case, and to suppose a lady of our own country, who had lived and taken the veil in a convent abroad, to arrive in England for the sake of joining the sisterhood, from which the storms of persecution had separated her for some years. He had appealed to the feelings of the House, whether such an unfortunate refugee, a native of these kingdoms, should be prevented from again domesticating herself with those who constituted her whole happiness. The right honourable and learned gentleman (Sir W. Scott) had declared this to be an instance in which the prohibition in the bill would operate too rigorously. His (Mr. Hobhouse's) honourable and learned friend (Mr. Erskine) had spoken to the same effect, and recommended the omission of a few words with a view to remedy so great a hardship. He had proposed to invest the King with a discretionary power of licensing the admission of *any* person into a monastic or religious house. Mr. Hobhouse much wished that the suggestion had been adopted.

Mr. PERCIVAL said, that the object of the honourable gentleman would be fully answered, for it was intended to place such a power in the hands of His Majesty during the continuance of the war.

Mr. HOBHOUSE said across the table, that he was not satisfied; he did not like the limitation as to time.

The SECRETARY AT WAR approved the alterations as far as they went; but he would not pledge himself not to oppose the bill in its future stages.

The House being resumed, the bill, in its amended state, was ordered to be printed, and to be taken into further consideration on Monday next.

The House then went into a Committee on His Majesty's message respecting the Dutch captured fleet, to which certain papers were referred, and in which the Chairman was directed to move for leave to bring in a bill for receiving the Dutch forces into the pay of Great Britain. The resolution was voted, and the House resumed, on which the Chairman reported, and the report was ordered to be received on Monday.

LIST of the MINORITY

On Mr. SHERIDAN's Motion for a Call of the House.

Adair, R.	Milner, Sir W.
Bouverie, Hon. E.	Nicholls, J.
Brogden, J.	North, D.
Biddulph, R.	Plumer, W.
Coombe, H. C. (Lord Mayor)	Robson, R. B.
Courtenay, J.	Russell, Lord J.
Denison, W. J.	Russell, Lord W.
Dundas, Hon. L.	St. John, Hon. St. A.
Hobhouse, B.	Smith, W.
Hussey, W.	Tierney, G.
Jeffries, N.	Vyner, R.
Jekyll, J.	Walpole, Hon. G.
Lemon, Col.	Western, C. C.
Martin, J.	

TELLERS,

Sheridan, R. B.—Jones, J. T.

HOUSE OF LORDS.

Monday, June 30.

The royal assent was given by commission to thirty nine bills of various descriptions; among which were, the East India Warehousing Duty bill; the bill permitting the use of Sugar in brewing Beer; the Corn Importation; the Sugar and Molasses Duty Reduction; the Rape and Linseed Importation; the Neutral Ships;

the Raw Hides ; the Kid Skins Exemption ; the Cape of Good Hope Wine ; the Glasgow Police ; and the Bank Buildings bills.

The Lords Commissioners on this occasion were, the Lord CHANCELLOR, Duke of ROXBURGH, and Earl SPENCER.

Lord GRENVILLE.—“ My Lords, I rise with more pleasure than I ever did to make a motion in this House ; and it is for the purpose of moving that the bill for uniting the two kingdoms of Great Britain and Ireland be now read a third time.”

The Earl of HILLSBOROUGH (Marquis of DOWNSHIRE). “ My Lords, I am perfectly aware that nothing which I can allege can arrest or amend the bill now proposed to be read a third time. I rise merely to state that my opinion of it remains unaltered ; and therefore shall trouble you with no more words on the subject, but content myself with giving the measure my decided negative.”

The bill was then read a third time and passed, with Lord Hillsborough's single *not-content*.

The Earl of CARLISLE rose to state, that it had been deemed necessary that certain questions in the appeal cause, the Earl of Galloway and John Gordon, Esq. *v.* the Lords of the Treasury and the Lord Advocate of Scotland, should be put to the Judges. His Lordship said, he did not affect to understand the cause, nor was he master enough of Scotch law to know the legal points on which the merits of the cause rested ; but he conceived, when one of the parties principally interested (the Earl of Galloway) desired to have certain questions put to the Judges which he deemed material, there could be no reasonable objection to putting such questions, and postponing the decision of the appeal to the next session. The Earl handed three or four questions to the reading clerk, which were distinctly read at the table.

The LORD CHANCELLOR left the woolsack, and contended, that no questions like those proposed could be raised in such a cause as fit questions to be put to the Judges of England. His Lordship stated, that the appeal in question came on long since, when two counsel for the appellants were heard, and one for the respondents, the day not serving for further proceeding in the cause : That owing to a variety of accidental circumstances the hearing had not been resumed since ; but that he had received a letter from the agent for the Crown, stating, that it was highly important to the interests of the public that it should be decided in the present session. With regard to the last of the questions, viz. whether any man, having executed a penal bond, should be ultimately held amenable for a larger sum than the penalty of the said bond ? the question answered itself, for it was undeniable that no person could be called

upon to pay a larger penalty than his obligation, by bond, expressly engaged for. His Lordship concluded with declaring, that the questions moved were not proper to be put to the Judges.

The Earl of GALLOWAY said, it was extremely material to him that the appeal should be decided as soon as possible; but he owned he wished it should come on for decision before more than one Law Peer. He had reason to believe that a noble and learned Lord entertained an opinion upon the subject different, perhaps, from the noble and learned Lord on the woolfack. That noble and learned Lord had been severely indisposed; but he understood he was so far recovered as to be able to take an airing, and he hoped in a few days he would be able to attend. However, he could not see how the public interests would suffer if it were postponed to next session, as he was paying interest for the sum in litigation pending the proceeding of the cause.

The LORD CHANCELLOR rose again, and said, that when the appeal first came on to be heard, one of the learned Judges of the Court of Session was in town, and told him, that it was extremely material to the public interest that the appeal should be decided in the present session; and he had since corresponded with the head of that court, who had stated the same opinion. The Lord Advocate had also written a letter to the agent for the Crown, which had been shewn him that morning, pressing the same. Their Lordships would surely give him credit when he declared, that it was singularly satisfactory to his mind, when he could have the assistance of the Judges; but in this case there was no sort of occasion. With regard to the noble Lord alluded to, he was sorry to say that he understood there was no probability of his being able to attend again in the course of the present session; but that he should have been glad of his being at the table to join in hearing the appeal, as it had scarcely happened, if ever, that he had differed with him ultimately upon any cause that came before them: at any rate, however, the administration of public justice could not stand still, or wait for the attendance of any individual, however respectable.

After a few words more from the Earls of CARLISLE and GALLOWAY, the question for the attendance of the Judges was negatived, and the further hearing of the appeal was ordered for Friday next.

HOUSE OF COMMONS.

Monday, June 30.

Mr. Owen (from the Directors of the East-India Company) presented to the House, pursuant to their orders,

No. 1. An account of the annual revenues of the East-India Company in the provinces of Bengal, Bahar, and Orissa, and from Benares and Oude, under the heads of mint or coinage duties, post-office collections, Benares revenue, Oude subsidy, land revenues, police taxes, customs, and the receipts from the sales of salt and opium, and stamp duties, for three years, according to the latest advices; together with the latest estimate of the same; and also,

No. 2. An account of the annual charges defrayed by the East-India Company in the provinces of Bengal, Bahar, and Orissa, and in Benares and Oude; distinguishing the same under the respective heads of civil, judicial, military, and marine; the charges of buildings and fortifications, of collecting the revenues and customs, and the advances and charges on account of salt and opium, and the charges of the stamp-office, for three years, according to the latest advices; together with the latest estimate of the same; and also,

No. 3. A comparison of the estimated and actual amount of the revenues of the East-India Company, in the provinces of Bengal, Bahar, and Orissa, and from Benares and Oude, under the heads of mint or coinage duties, post-office collections, Benares revenue, Oude subsidy, land revenues, police taxes, customs, the receipts from the sales of salt and opium, and the stamp duties for the year 1798-9; and of the charges defrayed by the said Company in the said provinces, and in Benares and Oude; distinguishing the same under the respective heads of civil, judicial, military, and marine; and the charges of buildings and fortifications, of collecting the revenues and customs, the advances and charges on account of salt and opium, and the charges of the stamp-office, for the same year; and also,

No. 4. An account of the annual revenues of the East-India Company, at the presidency of Fort Saint George, and the settlements subordinate thereto, and the Carnatic and Northern Circars, under the heads of mint or coinage duties, post-office collections, sea and land customs, subsidies from the Nabob of Arcot, from the Rajah of Tanjore, &c. and land revenues, and farms and licenses, for three years, according to the latest advices; together with the latest estimate of the same; and also,

No. 5. An account of the annual charges defrayed by the East-India Company at the presidency of Fort Saint George, and the settlements subordinate thereto, and in the Carnatic and Northern Circars; distinguishing the same under the respective heads of civil, military, buildings, and fortifications, and the charges of collecting the revenues and customs, for three years, according to the latest advices; together with the latest estimate of the same; and also,

No. 6. A comparison of the estimated and actual amount of the revenues of the East-India Company at the presidency of Fort Saint George, and the settlements subordinate thereon, and in the Carnatic and Northern Circars, under the heads of mint or coinage duties, post office collections, sea and land customs, subsidies from the Nabob of Arcot, Rajah of Tanjore, &c. land revenues, and farms and licenses, for the year 1798-9, and of the charges defrayed for the same year by the said Company in the said presidency and settlements, and in the Carnatic and Northern Circars; distinguishing the same respectively under the several heads of civil, military, buildings, and fortifications, and collecting the revenues and customs; and also,

No. 7. An account of the annual revenues of the East-India Company, at the presidency of Bombay, and the settlements subordinate thereto, under the heads of land revenues, customs, farms and licenses, &c. for three years, according to the latest advices; together with the latest estimate of the same; and also,

No. 8. An account of the annual charges defrayed by the East-India Company at the presidency of Bombay, and the settlements subordinate thereto; distinguishing the same under the respective heads of civil, military, buildings, and fortifications, and the charges of collecting the revenues and customs, for three years, according to the latest advices; together with the latest estimate of the same; and also,

No. 9. A comparison of the estimated and actual amount of the revenues of the East-India Company, at the presidency of Bombay, and the settlements subordinate thereto, under the heads of land revenues, customs, farms and licenses, &c. for the year 1798-9, and of the charges defrayed for the same year by the said Company in the said presidency and settlements; distinguishing the same respectively, under the several heads of civil, marine, military, buildings, and fortifications, and collecting the revenues and customs; and also,

No. 10. An account of the annual charges defrayed by the East-India Company for the management of their trade and commerce in

Bengal, at Madras, and at Bombay, so far as the same can be distinguished from the civil or other charges respectively, for three years, according to the latest advices ; together with the latest estimate of the same ; and also,

No. 10. (A). An account of the expences of the presidency of Fort Marlborough, and its dependencies, for three years, according to the latest advices ; together with the latest estimate of the same ; and also,

No. 10 (B). Amount of the expences of the island of St. Helena, and the factory of Canton, for three years, according to the latest advices ; and also,

No. 11. Abstract estimate of the probable resources and disbursements of the Bengal Government from the 1st May 1799 to the 30th April 1800 ; and also,

No. 12. Abstract estimate of the probable resources and disbursements of the Madras Government, from the 1st May 1799 to the 30th April 1800 ; and also,

No. 13. Abstract estimate of the probable resources and disbursements of the Bombay Government, from the 1st May 1799 to the 30th April 1800 ; and also,

No. 14. A general abstract of the estimates of the revenues and charges of the presidencies of Fort William, Fort Saint George, and Bombay, from 1st May 1799 to 30th April 1800 ; and also,

No. 15. An account of the amount received at the several presidencies of Fort William, Fort Saint George, and Bombay, for sales of import goods and stores, and for certificates on the Court of Directors, within the last three years respectively, according to the latest advices ; together with the latest estimate of the same ; and also,

No. 16. Amount of the bond and other debts owing by the East-India Company at their several presidencies in the East Indies, on the 30th April 1799, the rates of interest which such debts respectively carry, and the annual amount of such interest ; and also,

No. 17. An account of the amount of debts subscribed in India, between 30th April 1798 and 1st May 1799, agreeable to the Court's orders of 25th June 1793 ; and also,

No. 18. Abstract statement of the receipts and disbursements of the Bengal Government, from the 1st May 1798 to the 30th April 1799 ; and also,

No. 19. Abstract statement of the receipts and disbursements of the Madras Government, from 1st May 1798 to 30th April 1799 ; and also,

No. 20. Abstract statement of the receipts and disbursements of the Bombay Government, from the 1st May 1798 to the 30th April 1799 ; and also,

No. 21. An account of the balance of quick stock, exhibiting a state of the Company's affairs, in respect to the debts and assets, as they stood at the several presidencies of Fort William, Fort Saint George, and Bombay, and at the residency of Fort Marlborough and factory at Canton, at the conclusion of the year 1798-9 ; and also,

No. 22. An account of the prime cost of all cargoes purchased in India, and shipped for Europe, in the year 1798-9 ; together with the commercial charges, at each presidency, not added to the invoice.

Ordered, That the said accounts do lay upon the table ; and that such a number of copies be printed as shall be sufficient for the use of the Members of the House.

Mr. SPEAKER stated, that he had been in the House of Peers, where the royal assent was given by commission to the bill to remove doubts relative to the warehousing of India goods, to the Molasses Spirit bill, and to sundry other public acts, and to several private acts.

The order of the day being read on the bill for regulating the price and assize of bread, the bill, after an amendment by Sir John Anderson, was read a third time and passed.

The House, in a Committee of the whole House, came to a resolution for allowing salt to be used in the northern fisheries duty free, &c. for the support of the London market.

The House, in a Committee of the whole House, came to a resolution for repealing the present duties on hops, in certain cases, and for granting other duties in lieu thereof.

Mr. ROSE moved, that the act by which a commercial treaty was settled between this country and France be read ; which being entered as read, Mr. Rose observed, that it was, by a provision in that bill only, lawful to import into this country any French wines from the islands of Guernsey and Jersey ; which provision was at an end, because the act had expired. It was expedient that wines of this description should continue to be imported from these islands, under the regulations contained in that act, which could not be done without a parliamentary provision for that purpose ; he should therefore move, " That the House do resolve itself into a Committee of the whole House to-morrow, to consider of the said act." Ordered.

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A message from the Lords informed the House, that their Lordships had agreed to the bill for an Union between Great Britain and Ireland, without any amendment.

Mr. ATTORNEY GENERAL.—“ In pursuance of the notice which I gave on Friday, I rise for the purpose of moving for leave to bring in a bill for regulating trials for high treason in certain cases, and likewise for the safe custody of insane persons charged with offences. My object is, to confine the bill to the point of making high treason, in a certain denomination of it, like the case of murder, by which I mean a direct attempt against the person of His Majesty. The only possible objection, as it strikes me, which can be offered to this bill, is that of a supposition that there may be a difficulty in defining the case to which the bill would refer. I apprehend there will be no such difficulty. In the case of maliciously shooting at any person, there is no difficulty in defining cases that come within the meaning of the law. The same rule I would apply to an attempt on the person of the King. The time for the discussion of such a measure as this, would, I presume, be in a Committee; I, therefore, do not think it necessary to state, at this moment, what words will be sufficient for that purpose; when the words which shall be proposed are seen, those who may now suppose that there exists a difficulty, will be better able to judge than they are at present, whether such difficulty really exists or not. If the words which I shall offer shall appear not to be sufficient to express clearly the intention I have, I shall be extremely ready to adopt other words which may better convey that intention. With regard to the other part of the bill, which relates to the safe custody of insane persons who are charged with offences, I think it impossible to doubt that something is necessary to be done on that subject. I do not allude particularly to what has recently happened, although that has called some ideas forth upon the subject; but all those whose duty calls them to attend to the proceedings of courts of justice, from time to time, must think it important that some provisions should be made upon this subject, because it has been found that persons who have done the most shocking acts, and who have been acquitted on the ground of their being deranged in their intellects, having been allowed to go at large, have afterwards committed similar acts again; there are several instances of His Majesty's subjects having lost their lives in this manner, for want of a due provision in this respect. I do apprehend indeed, that by the common law of this realm, when a person of this kind is acquitted, the court before which he is tried have full power to direct the safe custody of such a person; but then the law has so little regulated that custody, and is so

silent as to the rules to be observed with regard to it, that indeed the law may be said to be defective in that particular; and on reflection upon that subject, I do think it will be impossible to lay down any positive rule whatever, with regard to the manner of that custody, and therefore much must be left to the discretion of the executive government in that respect; but when we consider the circumstances of these unhappy persons, that generally they are of low habits and connections, and seldom have any friends to take care of them, I think it will appear to be humanity itself to give to the Executive Government some discretion to dispose of them. Under these circumstances I move, "That leave be given to bring in a bill for regulating trials for high treason, and misprision of treason in certain cases, and for the safe custody of insane persons charged with offences."

The question being put,

Mr. NICHOLLS said, he had no objection to the second part of this motion; but with regard to the first, he should rather think it advisable to abide by the law which the wisdom of our ancestors had devised, than to enact any new law upon this most important subject. If any inconvenience could be shewn to have arisen from any defect in the law of treason, he should be as ready as any body to assent to some measure to remedy such inconvenience; but unless such inconvenience was stated to exist, he inclined to abide by the law as it stood.

Mr. Chancellor PITT—"On a subject of this high importance, I should think, that although no proof existed of any actual inconveniences having arisen, yet, if we see, by looking on the law as it now stands, that not only great inconvenience, but also danger may arise upon it, we shall have no difficulty in saying there ought to be an amendment of the law in this particular. The general principle of the law to guard against what is generally understood to range itself under the head of constructive or political treason, is not proposed to be touched by the bill moved for by my learned friend: but it is intended to apply to a simple act, capable of demonstration almost; upon this, I think that some measure is highly necessary. Suppose the act lately attempted against the person of the sovereign had been successful, it would certainly, in the view of morality, justice, and common reason, have been a murder of a very aggravated and horrid nature. If it had been against any individual of His Majesty's subjects, it would have been murder by the definition of the law of England; one rule would be observed in the prosecution, and one witness would have been enough to prove it. But in the case of the murder of the sovereign himself, on

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whose life the safety of the State depends, it would not have been so inquired into, because, by the law of treason, a different form of prosecution must be observed, and it could not be laid as simple murder; so that one witness would not be sufficient to prove it, nor could the trial, in many other respects, have the same facility on the part of the prosecution, as it would have in the case of the murder of one of His Majesty's subjects. Although the act should be plain murder, yet it cannot be stated but as treason, and that, by law, requires two witnesses, as well as many other formalities. I say, that is a condition in which the law ought not to stand. In one sense, we are all of us happy that the barbarous attempts that have been made against His Majesty's person are totally free from any combination or conspired design; but when we have had the warnings of individual designs, although the result of phrenzy, against His Majesty's sacred person, we ought to provide for it some farther protection. We should take care that His Majesty's sacred life should have, at least, as much protection as that of any of his subjects, which, for the reasons I have mentioned, arising from the laws of treason, is not the case at this moment. Are we to be told there is no necessity for such a measure? And can we suppose there should be any hesitation in receiving a bill of this nature? We should, however, take care that the law shall be made to apply to the nature of the case to be provided for; and this was stated by my learned friend, as a thing to be provided for in the wording of the bill. But I must observe, that without some such measure as this, the person of the Sovereign, so much the object of our care and solicitude, will be less protected by law against murder, than the meanest of his subjects; I should, therefore, hope that the honourable gentleman who spoke last, to whom we cannot impute any thing that is inconsistent with pure affection to the Monarch, would, upon reflection, be induced to withdraw his opposition, and that this bill shall be brought in by the unanimous sense of the House."

Mr. NICHOLLS said, he agreed with the right honourable gentleman who had just spoken, on the deficiency of the law upon the point of two witnesses; and if the remedy of that defect had been stated to be the object of the bill, he should not have objected to it in any degree: the idea that led him to doubt of the propriety was, that it would have had some effect on what is called political treason—in no other light had he any objection to it.

Mr. Chancellor PITT—"I stated, that one witness only was sufficient in the case of murder of any of His Majesty's subjects, and there must be two in a case of that kind upon the Sovereign, in which his life is less protected than the life of one of his subjects,

and that this is a defect in the law too obvious to be debated ; so that we need not wait for the arrival of any actual inconvenience on that account before we endeavour to remedy the defect. But I beg leave to say, that that is not the only part of the law which this bill is intended to alter. I argued upon the idea of the horrid attempt upon His Majesty's person being successful, which is the most shocking supposition that can be entertained ;—but this bill, as I conceive it, will provide also against any unsuccessful attempt that may be made against His Majesty's life, and will put that also on the same footing of protection as that of a subject. I say this, in order to prevent any misconception which might arise from any general words that were used by me. The object, in a word, is this, to give His Majesty all the protection of person by law that any of his subjects have, instead of subjecting it to the rules of treason, and to have no concern whatever with the law as it relates to constructive, or what is called political treason."

The question was then put and carried *nem. con.*

The ATTORNEY and SOLICITOR GENERAL, Mr. Chancellor PITT, and the SECRETARY AT WAR, were ordered to prepare and bring in the bill.

Colonel GASCOYNE moved the order of the day for the House to resolve itself into a Committee on the petitions of the journeymen workmen.

Mr. YORKE suggested to the honourable gentleman, that if it was his intention to move any resolution in the Committee, on which to found a bill, it would be better to refer the petition to a Committee up stairs ; which, after having examined the subject of them, might come to some resolutions on which a bill might be framed ; and that it would be more regular for the particulars to be discussed by the House when the bill itself should come before the House in a Committee.

Colonel GASCOYNE said, he did not mean to move in the Committee any resolutions upon which to found a bill, but merely as a matter of form to move, that the chairman be directed to move for leave to bring in a bill to explain and amend the act of last session of Parliament.

Mr. BUXTON begged to suggest to the honourable gentleman, whether this was not too late a period of the session to introduce a bill for altering established regulations on a point of so much importance.

Mr. SHERIDAN said, that there could be no objection to the lateness of the period at which it was proposed to introduce this bill, when it was recollected that the bill of last session, which this wa

intended to amend and explain, was passed at as late a period of the session. It was read a first time on the 18th of June, a second time on the 19th, and was passed by the House of Lords and received the royal assent so late as the middle of July. That bill, although intended to alter essentially the law of the land, was precipitated, he might say, in a most indecent manner, and as quickly as the forms of Parliament would allow; so that the parties whom it principally affected, so far from finding it possible to be heard by counsel against the bill, had not even time to present petitions against it. A few indeed, in the immediate vicinity of London, were heard by counsel on the last day that it was before the House of Lords; but it was a bill which interested, not merely a few people in the vicinity of London, but a very large and numerous part of the labouring and industrious community. He certainly felt himself much to blame in not having attended to give his opposition to that bill, which he understood passed without any, except with a few words from an honourable friend of his who was most constant in his attendance. But if any man considered the provisions and the principles of that act, he must be convinced that it was pregnant with the foulest injustice; that it was replete with the grossest aggressions against the principles of the law of the land, and against the rights of the subject—and that it was a disgrace to the statute book. He wished it to be repealed altogether, because he thought that no explanations or amendments could possibly rid it of its offensive nature. He did not know who introduced that bill; he believed the right honourable gentleman opposite (Mr. Pitt said, No); but, whoever introduced it, he hoped the right honourable gentleman would not be so tenacious of its principles as to object to its repeal, if he attended to its injustice. Such an act ought not to remain an hour longer on the statute book—it could not be repealed too soon; and there was one consolation to encourage its repeal, that as it had never been pretended, as an excuse for its introduction, that there were no laws to prevent and punish unlawful combinations, and as the preamble of the act itself sets forth that it is to explain and amend former acts, its repeal will not be the means of letting the subject loose from the restraints of law, but will merely restore things to their former state, and give operation to laws which experience had proved to be perfectly adequate to the purposes for which they were intended.

Mr. Chancellor PITT said, that it was of no consequence, in the discussion of the present question, who brought in the bill of last session. Certainly, though the honourable gentleman had imputed it to him, he was not the introducer. The point now was, whether or no the bill was exceptionable? It had been passed by both

Houses of Parliament, and he considered his assent as given to it. As to his being tenacious of the principles of the bill, he was very easy upon the head of incurring this imputation by supporting it. Among the many accusations made against him, this was not the least frequent or the most difficult to be borne, when he recollected that he was sometimes, and by the same person too, called obstinate, proud, tenacious of his purpose, and perseveringly inflexible in his own measures; at other times, changeable, fickle, irresolute, and easily swayed by the opinions of others. The honourable gentleman would perhaps say that he is sometimes both. In this case, he would adopt the answer of a very old man, who was sometimes blamed for being too full of spirits, and at others for being dull and melancholy—" *Magnus est argumentis me esse in utroque moderatum.*" The particular provisions of the bill he could not pretend at present to recollect. The honourable gentleman had not spared upon it abusive epithets; but it was not a subject to be run down by hard words. If it were proved that the bill was liable to such strong objections as were stated, they ought certainly to be removed. He would not, therefore, oppose going into the Committee at present, as he understood that he only intended to move for leave to bring in a bill to explain and amend the act; against the absolute repeal of it, he would be tenacious.

Colonel GASCOYNE said, he had not stated the reasons upon which his motion was to be founded, because he was advised by some of his friends, among whom was particularly the honourable gentleman, who had himself given occasion to this debate by stating his reasons for the motion, to delay doing so till the House was in the Committee, when it would be more regular.

The SPEAKER said, that the conversation which had just taken place was in some measure irregular, and that the honourable gentleman would be more in order in giving his grounds for his motion in the Committee.

Mr. SHERIDAN said, he had indeed told his honourable friend that the Committee was the proper place for the discussion of this business; but he had never told him, that if any person opposed the House going into a Committee, he would not give reasons for going into it.

The House then resolved itself into the Committee.

Colonel GASCOYNE said, that he had heard different modes proposed in which to treat the petitions on the table. He had himself reflected on the subject, and the mode which appeared to him best, was that which he adopted, of applying through a Committee for leave to bring in a bill to explain and amend the act of last

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session of Parliament. That bill was, as stated by his honourable friend, brought in on the 18th of June, and read a second time on the 19th. The second reading is known to be the ordinary time fixed by the forms of the House for hearing Counsel against a bill; but from this precipitate procedure it was impossible that even petitions could have been drawn up against the bill. It was read a third time on the 27th, and in short passed. In his opinion, considering the importance of the subject; that bill ought not to have gone farther in last session than the first and second reading; and then, by standing over to the beginning of this session, time would have been given to consider it, and it would have received such modifications in the Committee as would have superseded the necessity of the petitions now before the Committee, and would have prevented his now taking up the time of the House. He never had heard of any particular circumstances requiring such a bill. No allegation was made of illegal combinations then existing, and yet the bill had been hurried through without allowing time to consider it. Colonel Gascoyne then proceeded to animadvert upon different clauses and provisions of the act of last session; the expressions he represented as extremely indefinite, as laying the workmen a great deal too much at the mercy of the masters, and as exposing them to prosecution and punishment on the oath of a single person before a single magistrate, for the simplest actions, in which in the severest construction of them there was nothing to blame. There was one clause of it also liable to peculiar exception, as, on the literal interpretation of it, it subjects the funds of friendly societies instituted for the purchase of tools to poor workmen, and for supporting them in sickness, to forfeiture, if it is proved that one shilling of these funds has ever been given to a person who comes under the provisions of this act. Now this may often happen from accident; and by the half of these funds, which sometimes amount to so much as 3000*l.* being given to the informer, a great reward is held out to induce men to perjury. While so much is done against the journeymen, there is not one clause in the act to regulate the conduct of masters. He did not wish to repeal this act altogether; but he thought he had adduced grounds sufficient for the motion with which he would conclude—"That the Chairman be directed to move for leave to bring in a bill to explain and amend the act of last session of Parliament, for preventing illegal combinations of journeymen workmen."

Mr. DENT, in seconding the motion, said, he did not apprehend that the provisions of the bill could possibly extend to the friendly societies; but, nevertheless, it was extremely exceptionable. It altered in several material points the law of the land. It directed

the person accused to be examined upon oath, so that he might criminate himself; and it even went so far as to put a construction upon motives, and to direct that a man should be committed if it should appear probable to a Justice that he had meant to violate any of its provisions. Though some regulations might be necessary, these were evidently oppressive, and he hoped the House would therefore consider the subject with their usual indulgence, coolness and moderation.

Mr. Chancellor PITT complained that the bill had been extremely misrepresented; and said that, if the journeymen workmen founded their objections to it upon such an interpretation, they were extremely unreasonable. It had been said, that all friendly societies were affected by it, and that their funds were liable to be seized if they should assist any of their members. There could not be a greater perversion of the meaning of any clause. No money was made liable to forfeiture but what had been expressly contributed for an unlawful purpose. Confession was one species of conviction in trials for every other offence as well as for this. Far from objecting to a summary method of trial, he was confident that the workmen must approve of it, as it saved them infinite time, trouble, and expence. The bill might want some literal corrections; he therefore should vote for the present motion; but he deprecated the idea of repealing it, or destroying its efficacy by explanations and amendments. The principle of it was good, and it ought by all means to be strengthened and confirmed.

Colonel GASCOYNE pledged himself to bring proofs to the bar, of gross oppression having been suffered under the bill he complained of. Perhaps this had happened from the mistake of the Magistrate, but it surely demonstrated the necessity of the bill being properly explained. Were these offences to be tried by a jury, he should think there was less chance of abuse; but it was very wrong that a single Justice should thus have it in his power to tyrannize over all the workmen in his neighbourhood.

Mr. ROSE said, that any one might appeal from the sentence of the Justice to the quarter sessions, where he would be sure to meet with redress.

Mr. SHERIDAN said, that the right honourable gentleman opposite to him (Mr. Pitt) had complained that he had misrepresented the bill; but it was very evident that the right honourable gentleman was totally ignorant of its provisions himself. He had said that it was advantageous for the workmen, as it directed a summary method of trial; but it so happened, that the bill had nothing to do with settling disputes between masters and servants, as it only

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gave the masters a power of summoning the servants before a magistrate to answer for offences created by the act itself. He did not approve of the plan of amending the act, as he did not see how it could be amended, and as it was altogether unnecessary. There were already severe laws against combination, which were quite sufficient to prevent that practice to a pernicious degree. No proof whatever had been offered of their inefficacy; and the only reason to believe that a new act was called for was the preamble of the act itself. He respected the Justices; but among such a numerous body of men there must be some not very well disposed; and, though they were ever so upright, they could not give equity like a jury; they must explain and enforce the law with rigour, and thus be the instruments of oppression. If a father should be convicted of having forbidden his son to work any longer with a master who had refused to teach him his business, but had beat, starved and abused him, that father the justices were bound to commit to prison for three months, there to be kept at hard labour. Although all the masters in the district should combine to lower the rate of wages, the poor journeymen had by this act no means of redress; but, though themselves liable to the most severe punishment for the least impropriety, must suffer the cruellest injuries without a murmur. He could with his honourable friend adduce many instances in which they had been oppressed—The bill abounded not less with absurdity than injustice; it rendered it penal for any one, in any way, secretly or covertly, directly or indirectly, to seduce a workman from his master; but bounties were offered and proclamations posted up every day, to entice workmen to enter His Majesty's service; and, if the bill were fairly acted upon, half the captains, lieutenants, and recruiting serjeants in the kingdom would now be in the House of Correction, picking oakum or beating hemp.

Sir F. B. JONES begged that it might not be understood, that though he voted for the motion, he supported the bill which was meant to be brought in. He thought that the act of last session should be totally repealed, and he should probably move for its repeal next session of Parliament.

General TARLETON thought that the bill should be repealed, as it was unnecessary, and as the mode of trial it directed was alien to the laws of England.

Colonel ELFORD approved of the bill. He thought it strange, that though he represented Plymouth, he had never known that his constituents were to petition against it till he had actually seen their petition upon the table.

Mr. SHERIDAN said, that if the honourable gentleman felt fore in being thus overlooked, he had now an opportunity of doing honour to his constituents by supporting the prayer of their petition.

Mr. ATTORNEY GENERAL contended, that the bill was necessary, and that a summary mode of trial was necessary, as the mode by indictment would be quite ineffectual in preventing unlawful combinations.

The motion was then put and agreed to; the House was resumed, and leave asked and obtained to bring in the bill.

Ordered, that Mr. Pierrepont, Mr. Gascoyne, General Tarleton, Mr. Dent, the Lord Mayor of London, and Mr. Sheridan, do prepare and bring in the same.

Mr. LONG presented to the House a paper, intituled, "Return to an order of the honourable House of Commons, dated the 9th day of June, 1800, for an account of the sums remaining due and unprovided for by Parliament for subsidies granted to His Majesty the Emperor of all the Russias, as the same stood on the 5th of January 1800." Ordered to lie on the table.

Mr. ATTORNEY GENERAL presented to the House a bill for regulating trials for high treason, and misprison of high treason, in certain cases, and for the safe custody of insane persons charged with offences; and the same was received and read the first time, and ordered to be read a second time to-morrow.

Tuesday, July 1.

The House, on the order of the day, resolved itself into a Committee of the whole House on the bill for regulating the salaries of the clerk and clerk assistant and other officers of the House.

The SPEAKER recapitulated the statement which he made on a former night, respecting the salaries of the clerk and clerk assistant, the serjeant at arms, and his deputy, and the propriety of fixing them at some certain regular standard. At present they were paid, partly out of perquisites and fees of their offices, and partly by annuities paid out of the civil list. The object proposed by this bill was to make a fund out of all the charges due upon bills, &c. which come before the House; and he hoped, from the increase of business which would result from the Union of Ireland with this country, that that fund would be found adequate for the payment, not only of the clerk and clerk assistant, but even, in time, of the Speaker and every other officer of the House. It was clear, however, that this fund could not be formed till the expiration of the patent of the present clerk and his deputy. But at the same time it was desir-

able that the salary of the clerk assistant, of the serjeant at arms, and of his deputy, should be fixed at some proper and adequate provisions. The salary of the clerk, he proposed, after the expiration of the present patent, should be 3500l. ; that of the clerk assistant, which is now altogether 1000l. should be 1500l. ; that that of the serjeant at arms should be 2300l. and that if he keeps a deputy he shall be obliged to pay him 200l. besides the 300l. allowed to a deputy serjeant by the House. These were the principal things which he had to move in the Committee, in order to fill up the blanks in the bill.

Mr. BAKER made some observations on the propriety of applying part of the fund to the increase of the salary of the Chairman of the Committee of Ways and Means.

The SPEAKER said, that he perfectly approved of this suggestion ; but as the fund could not be established at the present moment, the making any further provision for that gentleman could not form any part of this bill.

Mr. Chancellor PITT said, that he hoped no gentleman would object to the propositions which had just been made, after hearing the grounds on which they rested. The office of Chairman of the Committee of Ways and Means was a most laborious one ; and, as it was now filled, ought certainly to be more amply recompensed than it now is. But the fund could not in the mean time provide for this, and he hoped that the House would cheerfully assent to some other means of making a provision. The best method he thought would be, to move an address to His Majesty to make provision for that office out of some other unexhausted fund. This he intended to do before the conclusion of the session.

After a few words from Mr. BAKER, the amendments were agreed to, and the report was ordered to be received to-morrow.

Mr. LONG brought in a bill for enabling His Majesty to grant commissions to the natives of the United Provinces to serve on board the Dutch ships employed in His Majesty's service ; which was read a first time, and ordered to be read a second time to-morrow.

The bill for regulating the trials for treason in certain cases, and for providing for the confinement of insane persons who have been guilty of crimes, was read a second time, and committed for Friday.

On the motion of the ATTORNEY GENERAL, it was agreed that it be an instruction to the Committee to divide the bill into two bills.

The House went into a Committee on the report of the Petition for the Relief of the Poor of the Metropolis.

Mr. MAINWARING moved, "That the Chairman be directed to ask leave to bring in a bill for making an additional rate in the parishes of Mary-le-bone and St. Pancras, for a time to be limited."

Mr. ROBSON said, he wished as well to the poor as any man, and would do as much for their relief, but did not wish to see benevolence turned into a tax. The plan in question had originated at Lloyd's Coffee-house, the gentlemen of which place had taken the poor out of the hands of the parish overseers, and put them under their own protection. The plan by which they proposed to make up the deficiency of subscriptions was said to be temporary; but it was very well known that a rate or tax once imposed was seldom afterwards remitted. An application to Parliament would be much better. The rates in Mary-le-bone already amounted to 39,000*l.* and the inhabitants wished to be heard by counsel if the bill was brought in.

Mr. I. HAWKINS BROWNE supported the resolution, and thought any application to Parliament highly improper. Some parishes were rich and some poor; but the whole of the metropolis should consider itself as one great family, and unite together for the relief of the indigent in these pressing times.

Mr. PERCIVAL said, the honourable gentleman who spoke first laboured under some kind of error. The money to be raised by this new assessment was not to come into the hands of the gentlemen at Lloyd's, but to be distributed to the proper officers for making a parochial fund. There was no intent, therefore, to mix charitable institutions with parochial affairs, and he should therefore vote for the resolution.

Mr. VANSITTART said, the law for upwards of 200 years was, that if a parish could not maintain its poor, the hundred must; and if the hundred could not, the county was bound to do it. The state of the persons intended to be relieved was such as to render it necessary to pass this bill as expeditiously as possible.

Mr. PLUMER asked, why the honourable Magistrate who moved for this business did not apply the remedy which it was said existed already by the 43*d* of Elizabeth?

Mr. MAINWARING answered, that by that act two justices had the power of acting; but he thought it more suitable to the magnitude of the present subject to put the business into the hands of all the magistrates of the county.

Mr. Chancellor PITT said, that besides this, the magistrates of the metropolis could not carry the intended measure into effect without special powers, because they had only power of acting in particular parts of the metropolis ; for instance, the magistrates for Middlesex could not act in the city of London.

Mr. W. SMITH wished that the bill might be introduced, and then the House would judge of its provisions.

Mr. Chancellor PITT said, it was necessary to do away an alarm that had been unnecessarily and improperly created against this measure. The House should recollect that it was intended to continue but for a short time ; and the additional charge it would cause to the public would amount to no more than two-pence or three-pence in the pound all over the different parishes.

Mr. JONES stated, that this measure had already caused great alarm ; that if a bill was brought in, it would be opposed by the whole parish of St. Mary-le-bone, and other parishes who had united to petition and employ counsel against it.

Mr. DEVAYNES stated, that the gentlemen at Lloyd's had been actuated by nothing but the best views ; that they did not wish to have any thing to do with the money to be raised by the new rates ; but they found the money which had been entrusted to them to distribute, exhausted, and they wished the poor to be taken care of. The opposition of the parish of Mary-le-bone was the more to be wondered at, as that very parish had received large supplies from the Committee at Lloyd's. It had, indeed, offered to pay the Committee afterwards, but it was not the plan of the gentlemen at Lloyd's to accept money so offered. He approved of the bill, because he saw the necessity of something being done for the support of the poor, and as only a few of those who were able seemed willing to contribute voluntarily to it. He would venture to say, on no slight grounds, that there were not 10,000 people in London who have contributed half-a-guinea for the relief of the poor.

Mr. ROBSON said, that the gentlemen at Lloyd's had professed to be ready to assist all parishes which needed supply for the relief of the poor, and that therefore it was not surprising if the parish of Mary-le-bone had received some assistance from them.

The ATTORNEY GENERAL said, the power granted to the magistrates by the 43d of Elizabeth was confined to one county, and therefore insufficient in the present case ; in which it was proposed to give relief to the poor of the metropolis and the adjoining parishes, a space extending over three counties.

Mr. ELLISON felt great affliction at the statement, that in this large metropolis not more than 10,000 persons had subscribed

more than half a guinea each, on an average, for the relief of the poor, and thanked God that in his part of the country there was more liberality. No man, he said, would be more desirous than himself to provide for the poor, by whom he meant such as were unable to earn their bread; but he should be sorry to see the indolent classed among them, and the country, with respect to its poor laws, thrown back to the state in which it was in the time of Elizabeth, when the objects of relief consisted principally of a set of people from monasteries, who were able to earn a livelihood by their labour. He suggested that the introduction of the word "cities" in the act of the 43d of Elizabeth would give the magistrate a power sufficiently extensive for the present purpose.

Mr. Chancellor PITT said, that gentlemen seemed to be afraid of a design to make this bill permanent. This certainly was not intended: it was merely to meet the temporary exigency of the scarcity. They seemed afraid that it was intended to put an end to parochial management: neither was this what he conceived to be the intention of the bill; it was only wished to raise a small additional rate, for a temporary purpose, which would still be at the disposal of the respective parishes in which it was raised.

Mr. DEVAYNES said, that the gentlemen at Lloyd's coffee-house had declined having any thing to do with its distribution.

Mr. TIERNEY said, that he would vote for the introduction of the bill, because it was odious, at such times as the present, to oppose any thing that purported to be for the relief of the poor; but at the same time he wished rather that the title of the bill had been to explain the act of the 43d of Elizabeth. He wished also that the application for legislative interference had come from magistrates, complaining that they had not means of supporting the poor, rather than from the gentlemen at Lloyd's. The statement of the honourable gentleman (Mr. Devaynes) respecting the number of subscribers in London, he conceived to be wrong. He might be right as to what was subscribed at Lloyd's; but he understood that, in the parish of Mary-le-bone itself, upwards of 2500l. had been subscribed; and he recollected in his parish, that of St. George, Southwark, that when he subscribed about six months ago, subscriptions for upwards of 1300l. were upon the banker's books. He was afraid that the bill would affect, not rich men who were unwilling to pay, but people unable to pay, people not so low as to accept assistance from soup-shops, and yet unable to contribute to their support. He hoped that no extraordinary parade would be made on account of the lateness of the session, as a reason for accelerating the measure; and that counsel would be permitted to be

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heard against it on behalf of the inhabitants of the parish of Mary-le-bone, in which it had produced a great sensation.

Mr. PERCIVAL said, it was impossible that any application could have come from the magistrates, as the measure originated in the failure of the funds arising from the voluntary subscriptions for the relief of the poor, which was too recent to have been yet felt by the magistrates. He then applied himself to Mr. Ellison's proposed amendment, and contended, that the word "cities" would not give to the magistrates a sufficiently extensive jurisdiction to afford the necessary relief.

Mr. TIERNEY desired to know, whether the money intended to be raised was to be applied in the same manner as the relief now distributed under the 43d of Elizabeth? If so, he said it would remove much difficulty, which he then felt.

Mr. MAINWARING said, he had no idea of taking money from the aggregate metropolis to send it to Lloyd's coffee-house. The money would be paid to the different officers of the several parishes, to be by them disposed of under the inspection of the magistrates.

Mr. RYDER recommended all discussion to be deferred until after the bill was brought in.

Sir W. MILNER was astonished to hear the parish of Mary-le-bone censured for its conduct. It had made no application to the Committee in the city for relief; on the contrary, the Committee, on the 20th of May, made a voluntary offer of assistance, as if they had a superabundance of means; and yet, to his surprise, on the 22d of May, only two days after, a petition was presented to that House, stating the total failure of their funds. If, however, it were necessary to bring in a bill for the relief of the poor of the metropolis, he hoped to see it extended into a general law, as the poor in the country were still more distressed than those of the city.

The question was then put and agreed to, and leave given to bring in a bill accordingly.

HOUSE OF LORDS.

Wednesday, July 2.

This day the King came down to the House in the usual state, and being seated in his royal robes on the throne, Sir Francis Molyneux, Bart. gentleman usher of the black rod, was sent to order the attendance of the Commons, who forthwith appeared at the bar, with the Speaker at their head.

His Majesty was then pleased to signify his royal assent to the bill, intituled, "An Act for the Union of Great Britain and Ireland ;"

And also to Pigot's Diamond Lottery, and the Duke of Richmond's Estate Bills.

His Majesty then withdrew with the accustomed ceremonies.

HOUSE OF COMMONS.

Wednesday, July 2.

The **SPEAKER** took the chair, and the House were proceeding in the business of the day, when they received a message from the House of Peers, acquainting them that their attendance was there required. The House proceeded with the Speaker at their head, who, on his return, said, he was to acquaint the House, that they had attended His Majesty in the House of Peers, where His Majesty was pleased to give the royal assent to an act for the Union of Great Britain and Ireland.

Mr. BRAGGE brought up the report of the bill for the better preservation of timber in the New Forest, in the county of Southampton, &c. &c.

Mr. HOBHOUSE said, it was his intention to object to the further proceedings at present, and would move, that this bill should be put off to a distant period. He thought it brought forward at too late a period of the session, unsuited the importance and magnitude of it ; and he hoped, at least, he should be enabled to obtain the hearing of counsel against the oppressive parts, in consequence of a petition which he was about to present from a respectable individual, who would be considerably aggrieved should this bill pass into a law. Among other objections which he had to make to some of the clauses, he had now to object to that clause with which he was forcibly struck, namely, "That it shall be lawful for His Majesty to cause such quantities of land within the said Forest as His Majesty shall think fit, not exceeding in the whole 400 acres, to be inclosed and perpetually preserved," &c. To this he would object. Those 400 acres could not be considered as part of what was ordered to be inclosed by the statute of King William, which confined the permission to inclose, under certain conditions, to a period of twenty years. It was to be looked upon as a totally new proceeding ; and he would oppose it, as most materially affecting the rights of common, &c. On that ground he should think, that

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those who complained ought to be heard by counsel, and have an opportunity of stating their grievances. There was also another clause of alienation, so introduced that the whole may be alienated—fold off lot by lot, by which every idea of common right was precluded. It was with justice then, he thought, that the individual, whose petition he held in his hand, and which he would present, had complained. He had it in his recollection, and so had the House, that when in 1792 a similar bill was brought forward, it was resisted in another place, not parliamentary to name, purely on the advanced state of the session, and was consequently dropped. He then moved the farther consideration to be put off to this day three months.

The motion was not seconded, the bill proceeded of course, and the amendments were read and agreed to.

The question was then put, that the bill should be engrossed.

Mr. HUSSEY said, that when he considered the considerable extent of ground of 115,000 acres not cultivated, he hoped gentlemen would look to the provisions of the people. He approved of the commissioners, and believed they would do their duty, being men of high worth and character; but was of opinion, that a much better bill than the present could be framed for the benefit of the country.

Mr. SPEAKER observed, that the question was on the bill being engrossed; and that it would be more regular for gentlemen to give their opinions after that question was disposed of, and to speak upon the question for the third reading.

The question was put and carried.

Mr. STURGES then moved the third reading of the bill: he said, that in moving he should mention one or two things just noticed in the discussion; and first, he must deny, he said, that the honourable gentleman (Mr. Hobhouse) understood the bill. On the indecency imputed on hurrying the bill through the House, he would just observe, that the bill was brought in on the 30th of last May; it was committed, and re-committed; and the report was now made on the 2d July. On the honourable gentleman's objection to the 400 acres, he should understand, that the object was to set apart a sufficient quantity of land for supplying the deer of the forest with food during the winter season, by its produce of hay, and thereby prevent the destruction of timber, by the cutting of brouse wood. On these considerations he thought the objections would fall to the ground, and with them the complaints on the rights of common, as said to be affected by the bill. He further observed, that the 400 acres to be inclosed constituted a part of the 4000 acres

which are now under law to be inclosed. He thought no material objections remained; he concurred with an honourable member (Mr. Hufsey) in his approbation of the commissioners, and said, that the boundaries of the forest must be ascertained for the convenience of the courts to determine in doubtful cases; and was of opinion, that the calling in of counsel at this very advanced period of the session, could answer no purpose but to retard the bill.

Mr. HOBHOUSE in reply said, he was so far unfortunate as to have no person to have seconded his motion for the putting off the bill to a remoter day. He now had, and would renew his objections and his motion. The bill he insisted should have been brought forward at an earlier period in the session. In other inclosures there was some understanding, some compromise between the parties; here there was none at all; and were it only for that reason, he thought the complainants should be heard. He would retort the charge of ignorance on the learned and honourable gentleman; alienations were, he would maintain, unlimited, if not exceeding 500l. in value, and those free from pasture, &c. Did not this affect the property of others?

Mr. HUSSEY said, he really wished the bill postponed for some little time.

Mr. SOLICITOR GENERAL said, that a motion was made for a long time, by which the bill would be lost. He, on his part, had no objection; though it would be best to adjourn the debate, as gentlemen seemed inclined to consider more fully on the subject, and for that reason he would mention next Friday.

Mr. HOBHOUSE said, he would agree, and withdraw his motion.

The further proceedings were then fixed for Friday next.

Mr. HOBHOUSE hoped, he said, that if from the petition a further day was thought necessary, the House would not deny it. He then presented the petition against the bill from William Scott, Esq. of Wimpson; the complaint was, that his rights would be affected considerably, should it pass into a law; and the prayer, that he should be heard by counsel, in order to prevent that law. Among the allegations of the petition, it was stated, that the bill was a violation of all principles of justice, and that it was produced at a period of the session too remote for "a full, fair, and candid discussion."

The SPEAKER said, his duty called upon him to notice to the House the expressions used by the petitioner; they were, in his opinion, highly objectionable.

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Mr. HOBHOUSE concurred, that the petition was objectionable, and acknowledged that he had not carefully examined it.

The SPEAKER hoped, however, that the House would permit the petition to be withdrawn, and take no notice more than if never presented, still leaving to the petitioner an opportunity of stating his grievances without such expressions.—The House assented, and the petition was withdrawn.

Mr. Secretary DUNDAS said, that notwithstanding the advanced period of the session, he was about to give notice of a motion which was pressed upon him by the city of London; and that in such a situation he was almost obliged to make it, submitting to the House to judge of its propriety: the notice then he had to give was, that on Friday next he would move for a Committee to consider of the most effectual means of preventing depredations on the river Thames.

Mr. YORKE brought up the report of the bill for settling the salaries of the clerk, clerk assistant, &c. of the House of Commons.

Mr. BAKER urged the propriety, by submitting it to the consideration of the House, of remunerating those gentlemen who were engaged in the useful and laborious situation of clerks of the House, without waiting for the period, rather remote, which was fixed by the bill. He thought the House would feel itself inclined to concur in a motion, should any gentleman bring it forward, that would recommend to His Majesty to remunerate the services of those gentlemen in the time between the passing of the bill and their eventual succession to the salaries therein appointed, and which he did not think sufficient if they were immediately conferred. He was the more readily led to give this suggestion, from the approaching increasing labours of those offices which must arise from the Union, and which must render the discharge of them additionally burthenfome.

The report with the amendments was agreed to, and ordered to be engrossed.

HOUSE OF LORDS.

Thursday, July 3.

The Duke of BEDFORD, pursuant to notice given on a former evening, recalled their Lordships' attention to the subject of the resolutions lately sent up from the Commons respecting bills of inclosure. He conceived that, generally speaking, they, as far as re-

gulations of the kind could go, afforded a remedy, and were likely to attain the proposed object. He thought it necessary to declare this opinion in the outset, to prevent his general sentiment respecting the resolutions in question from being misunderstood. In regard to the very important topic to which these resolutions referred, he should not enter into a detailed exposition of the principles upon which he considered it. On that main point he trusted they all felt alike. It was equally notorious and important, that the population of the kingdom had of late years considerably increased; and it was as well known that the means of supplying that population had not increased in proportion, and that the domestic supply was inadequate. The resolutions before the House he certainly approved, at the same time he had not the least objection to give his support to any propositions started by any other Lord more conversant on the subject than himself, which should appear to him better calculated to attain the desired end. To a system of general inclosure he was friendly; but to effect that by a general bill, or rather the attempt to effect it by such means, was what he could not approve. He thought the thing impracticable, and in that light he considered the general inclosure bill brought up last year; it was not calculated to attain its desired object. Could every case be embraced by a general bill, then the measure would certainly be advantageous, and should have his support; but he was aware of the difficulties of the case, which amounted to an impossibility of effecting it in that way; and, in his opinion, their Lordships were right in rejecting the bill. The resolutions, however, seemed to him to tend to facilitate an extensive system of inclosure, and without the adoption of any general law for the purpose, though at the same time one of the resolutions obviously tended that way, and on principles, in his opinion, similar to those on which the general highway act was framed; and one very prominent feature of the resolutions was to diminish the expences of inclosure bills, of which he much approved. His Grace, in the course of the remaining parts of his speech, read the resolutions, the first efficient one of which is as follows:

“That in order to diminish the expence of bills of inclosure, it may be expedient that regulations should be adopted, by the two Houses of Parliament, for the admission of affidavits, authenticated by the certificate of one or more magistrates, as sufficient evidence of the notices, the consents, and the allegations in the preamble of such bills, instead of the parole evidence now required; unless where the latter should appear at the time to be necessary from particular circumstances.”

The next resolution was that which he alluded to as tending to recommend a general law, and which in consequence he could not consider in the same light in which he did the others ;—it run thus :

“ That, for the same purpose, it may be expedient that a general law should be passed, comprising all such provisions as by experience have been found necessary in most bills of inclosure, to which all such bills in future might refer.”

This proposition he thought the House could not directly accede to. The expediency of such a bill was very questionable, and the House should be very cautious how it pledged itself in such a case. A declaration might be set forth, expressing merely an opinion, that if such a bill could be passed with a likelihood of its attaining the object desired, it would be wise to pass it. The next resolution was read by his Grace as follows :

“ That, in order to diminish other expences incidental to bills of inclosure, it may be expedient that provision should be made in such general law for taxing the charges of the solicitor, regulating the conduct of the commissioners, and preventing any unnecessary delay in carrying such bills into effect.”

The difficulties attending carrying this resolution fully into effect he was perfectly aware of : to curtail some of those articles of charge would be found an arduous task indeed. He knew of but few instances where the attempt was made, and those he had cause to know were unsuccessful. The last resolution was as follows :

“ That in the case of small inclosures, not exceeding three hundred acres, it may be expedient to provide, that such bills should be considered, as to the payment of fees, only as single bills ; and that those for the inclosure of smaller tracks of land, not exceeding one hundred acres, should be subject only to the payment of half the bill-fees due on a single bill : the admeasurement in both cases to be proved in the same manner as is proposed by the second resolution, regarding notices and consents.”

This proposal required some consideration, not only as it related to the circumstances of parliamentary fees ; but the mode struck out would, he conceived, rather go to increase than to diminish the amount of the fees. However, upon the principle he had stated, namely, their tending to facilitate the very important object of general inclosure, he would support the resolutions, taking them generally, not however deeming that they might not be amended with good effect, and at the same time on the ground of their adoption being considered as a previous step to further measures on the subject, and, above all, to shew the country that Parliament were

determined to do every thing in its power to ameliorate the general condition of the people. He should then trespass no longer on their Lordships; but would crave the indulgence of the House, that he might be permitted to reply, did the observations of any noble Lord render such a proceeding on his part necessary.

Lord CARRINGTON declared, that he highly approved of the arguments of the noble Duke, and rejoiced to find that the House of Commons had turned their attention to a subject of such immediate importance to the whole kingdom. The resolutions in question he considered as wisely drawn, and well calculated to be productive of consequences extremely beneficial and advantageous to the country and its best interests. He did not mean to trouble their Lordships by going into detail at any length on a subject which had been so ably treated by the noble Duke; he would, therefore, content himself with reading the resolutions respecting inclosures in general, voted unanimously by the Grand Jury of York at the last assizes, which served much more forcibly to express his sentiments on the subject than any words he could select for himself.

“ York, March 15, 1800.

“ We, the Grand Jury of the county of York, impressed with a conviction, that at this crisis it is the duty of all, not only individually but collectively, to stand forward in the cause of their country, think it becoming to offer our sentiments to the public in the following resolutions:

“ Resolved, That it is melancholy to observe that corn has risen twice within the last five years, not only to double its usual price, but to double the price that, in the opinion of the Legislature, it ought to bear, since there is a law to allow the importation of wheat from foreign countries, with the trifling duty of 6d. per quarter, whenever it rises above the price of 52s. per quarter.

“ That, although two severe visitations, succeeding each other very rapidly and recently, may seem to account for the present deficiency of corn, yet that a deeper investigation of the subject will bring conviction, that even the present scarcity is more truly attributable to a general deficiency of the annual produce of the country, as compared with its consumption, and that, in process of time, the evil is likely to become worse and worse.

“ That the produce of grain in this country falling short of the consumption, must be more strikingly evident if we attend to the importation of corn in any given number of years last past, and particularly of the years 1794, 1795, and 1796, which, by the

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report of the Committee of Waste Lands, amounted in value to about eight millions sterling.

“ That it having been stated by the Privy Council, so long ago as the year 1790, that the value of corn imported, on an average of eighteen years preceding, was not even one eighth of what it appears to have been since, in the years 1794, 1795, and 1796, is a proof that we are in a state of increasing demand upon other countries ; and that to expect so great a deficiency as has been stated in the foregoing resolution to be constantly supplied from foreign countries ; must be delusive, if we consider that it is generally believed that, in a common year, the produce of corn in Europe is very little, if any thing, more than equal to the consumption of its inhabitants, and that in any scarcity recourse must be had to America ; and that since the year 1790 it has been proved by experience that America has not, in any one year, furnished much more corn and flour than was sufficient for seven days consumption of this country.

“ That this country being in such a state of inability to provide, by its annual produce, grain for the annual consumption of its inhabitants, and having so scanty and precarious a resource in foreign countries, it becomes a matter of most imperious necessity to consider its future amelioration in this important respect.

“ That it appeared from the report of the Committee of Waste Lands, that there remained in England, in common, waste, and uncultivated, the immense quantity of 7,800,000 acres.

“ That, without asserting or imagining that all these are convertible into a more productive state, it is evident, that in attention to this mine lie the only true, permanent, effectual and wise means of redressing our present, or securing against future wants, and of obviating the necessity of a precarious dependence upon foreign assistance.

“ That this country, happily possessing within itself the means of its own salvation, it seems a matter of clear, urgent and necessary policy to call them into effect ; and it is hoped that the wisdom of the Legislature will take into its serious consideration the framing of such laws and regulations as may best promote the immediate bringing into the best cultivation all such parts as may be capable of it, of the great tracts of land that are now lying in the state above referred to.

“ That it seems a very well founded opinion, that was given by the persons appointed to examine into and report upon the general state of agriculture in this country, when they almost unanimously and uniformly declared, that the want of a fair and permanent compensation to the proprietors, in lieu of tythes in kind, is one of the

greatest obstacles, not only to inclosure, but to the due improvement of agriculture.

“ That, amongst other means which will doubtless occur, upon a due investigation of the subject, it will be useful to facilitate inclosure by lessening its expences ; not merely by reducing certain fees that have been talked of, but by moderating the charges of solicitors, commissioners, and public meetings ; by removing obstacles between party and party, (of which fair and adequate commutation for tythes is a principal) ; and by giving encouragement to the more spirited management of land, and to agriculture in general that respectability and importance in the scale of the public consideration that it so pre-eminently deserves.

(Signed) “ GEORGE ARMYTAGE, Bart. Foreman,
and his Brother Jurors.

His Lordship said, it was evident from the resolutions he had read, that this country contained within itself the means of preservation against future want or scarcity ; and that it was to our reproach that we had not exerted those means in due time, to prevent the dearth of provisions that we had lately sustained. It was, however, no inconsiderable satisfaction, to know from indisputable authority, that, if the wretched commons and waste tracks producing only a scanty and wretched herbage, feeding none but wretched animals, and, he believed he should not go too far if he said, inhabited only by wretched beings, were inclosed, and by due cultivation converted into either productive arable or pasture lands, we might bid defiance to future want, and be placed beyond the possible reach of famine. Upon these grounds he hoped the resolutions would be adopted, and followed up by a bill or bills calculated to give them full effect.

The LORD CHANCELLOR left the woolfack, and said, he by no means intended to oppose the resolutions, but merely to offer such suggestions as presented themselves to his mind on the subject. In the first place, he very much doubted whether any regulations adopted by the Legislature could serve to promote the cultivation and improvement of waste lands and commons. He rather believed, that inclosures in general must depend upon the spirit, the activity, and the ability of private individuals, who felt it their interest to set about inclosing, and apply to Parliament for bills of inclosure. It was undoubtedly wise and right that the individual who risked the expence and trouble of inclosing should share with the public in the profits of so doing. One thing he had the satisfaction to inform the House, of which they might not be aware of, viz.

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that in the present session there had been a very considerable increase of inclosure bills. A hundred and ten petitions had, he believed, been presented; above a hundred bills of inclosure had already passed in consequence, and several were yet pending. With regard to the wording of the first general resolution, an inaccuracy of expression had escaped, and called for correction: it stated, as words of general description of waste and unproductive lands, "Common arable fields, meadows, and common pasture in this kingdom;" whereas *common pasture* was not correctly a description of common land, but of a right over land; and therefore the term was inaccurate. In respect to the admission of affidavits in the second resolution, it might possibly be practicable as to notices, but not so with regard to consents, and still less with relation to the allegations of the bills of inclosure. His Lordship stated the ground of difficulty that presented itself to his mind against admitting affidavits authenticated by one or more magistrates in cases of consent, and the allegations of bills; and said, that imprudent magistrates might incautiously admit persons, unknown to them, to make very rash and improper affidavits. He mentioned the case of an affidavit sworn by one Thompson, a baker, as to a female whom he had married because she had some fortune. His affidavit deposed that she was an adult and of full age; and the license to marry was granted in consequence of that affidavit: but he must say, the proceeding on the part of the clergyman who performed the ceremony was most gross and scandalous, as the girl was not only no more than fourteen years of age, but one of a very childish countenance for those years, so much so as to preclude all idea of imposition in that respect. Upon those grounds he conceived that the offender who had married the girl might be indicted for perjury in making such an affidavit; and more so, as he had known a cause nearly similar where a conviction had taken place. However, upon inquiry, this was found to be a bad conviction; and the Attorney General, being applied to on the occasion, thought an indictment for perjury would not lie; so they were constrained to prosecute the culprit for a cheat, in obtaining the fortune of the girl under false pretences, which was evidently done through the medium of perjury. His Lordship continued to observe upon the resolutions in detail, and to point out the modes in which amendments could be introduced with good effect. As to a general law, if such a canon of law of inclosure could be devised, comprising all such provisions as by experience have been found necessary in most bills of inclosure, it would certainly have its use; but he feared it would be found impracticable: and indeed, as in the case of the general highway act, which had not in the least tended to

shorten private highway bills : so, in this case, a general canon of inclosure law might fail of its expected object, and not in the least have the effect of shortening future private bills of inclosure. The fourth resolution stated, " that it may be expedient that provision should be made in such general law for taxing the charges of the solicitor." Though he had little doubt that in some cases the charges brought in by solicitors of bills of inclosure were enormous, he saw not how they could be taxed. Solicitors' bills for business done in the Court of Chancery were taxable, and reducible to certain settled charges ; but the case was otherwise with solicitors of bills in Parliament, who could only be checked if they made exorbitant demands by letting the matter go to an action, and calling upon a jury to allow what they deemed reasonable prices. As little did he see, his Lordship said, how the conduct of the commissioners could be regulated. In both cases, the applicant for a bill of inclosure must act as warily as he could ; but when he had exerted his best judgment, he might find his expences, and the delay in carrying his bill of inclosure into effect, much greater than he expected. With regard to the last resolution, if bills for small inclosures were actually and *bona fide* single bills, they would pay fees only as single bills ; but if they embraced more than one object, were complicated, and occasioned much time and trouble, they ought in justice to pay fees accordingly. His Lordship stated, that the bill of last session was rejected because it was loosely and vaguely drawn, and considered adjoining lands to common and waste in the view of mere admeasurement and arithmetical extent, without the least regard to the different titles and rights of the owners. His Lordship said, he did not state those observations as hostile to the resolutions, which he meant not to oppose ; but he thought it necessary to suggest them for the consideration of the noble Duke and others.

The Duke of BEDFORD, in explanation, observed, that he had no objection to the resolutions being amended in such way as, upon serious consideration, might be thought proper ; but he hoped their Lordships would, as speedily as possible, do something in the business, were it only to evince their disposition upon the occasion. With regard to the attendant expences upon the bills in question, to his own personal knowledge many individuals had been deterred from embarking in such projects by that consideration. He should turn the matter farther in his mind, and should have no hesitation in altering the resolutions so as to render them more clear, intelligible, and efficacious. In this view he thought it best to postpone the farther consideration of the subject till Monday ; (which meeting

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the general concurrence of their Lordships, was ordered accordingly).

Lord HOLLAND—"My Lord, I came down for the express purpose of moving for two descriptions of papers; but not seeing the noble Lord (Grenville) in his place from whom I should be most inclined to expect any opposition, I shall not incur the imputation of taking the House by surprise, but defer my motion until some day when I may have the advantage of his presence. I think it right, however, to apprise the House, that the papers to which I allude are, A Copy of the instructions given to the Commander in Chief of our fleet in the Mediterranean, relative to the breach of the convention entered into between Sir Sidney Smith and the French in Egypt; and, secondly, An Account of the money furnished by this country in foreign subsidies since the first of January 1800. There is also a third subject on which I mean to trouble your Lordships; which is, to give notice that I shall move, on an early day, that the House be summoned to consider on the propriety of petitioning His Majesty not to prorogue the Parliament during the present awful and eventful crisis. I am aware that to this motion may be objected, the length of the session, the lateness of the season, and the great inconvenience to individuals; but I have the satisfaction of thinking that there is not a noble Lord in this House to whom the success of my motion would produce more personal inconvenience than myself." His Lordship then concluded with fixing Wednesday next for his motion; on which day the House was ordered to be summoned.

HOUSE OF COMMONS.

Thursday, July 3.

Mr. HOBHOUSE rose to state, that he held a petition in his hand, from William Scott, Esquire, of Wimpson, in the county of Southampton, taking notice of the bill for better preservation of timber in the New Forest in the county of Southampton, and for ascertaining the boundaries of the said forest, and of the lands of the Crown within the same; and setting forth, that the said bill materially affects his interests, and those of divers other persons who have rights and privileges in the said forest, many of whom, the petitioner believes, would have desired to have been heard against the said bill, had they had knowledge of its being before the House;

and that the petitioner had no knowledge of it till the 30th day of June now last past ; and that the said bill is founded upon facts not proved ; that its provisions are unnecessary, and many of them detrimental to individuals, and of most dangerous and alarming consequence ; and therefore praying, that he may have time granted him to support his petition by witnesses, and to be heard by himself or counsel at the Bar of the House. Mr. Hobhouse stated the concern the petitioner felt, that the petition which was yesterday intended to be presented, but was afterwards withdrawn, should be considered as containing any improper or disrespectful expressions ; and that the present petition avoided every thing that might be liable to such a construction. He said, that the language objected to in the last petition, was no more than a quotation of the sentiments delivered by an eminent Law Lord in another place, and applied to another bill ; and therefore Mr. Scott had not conceived it to be offensive. He (Mr. S.) was, however, now sensible that it was liable to the interpretation which the House had put upon it.

Mr. SPEAKER said, that supposing the House to accept of the excuse now offered as sufficient ; yet he did not see how, consistent with the forms of the House, the petition to be heard by counsel against the bill could now be granted.

Mr. DOUGLAS expressed a wish to hear the petition read.

This being done by Mr. Hobhouse in his place,

The ATTORNEY GENERAL objected to the petition being received. He observed that it contained no specific grievance, nor shewed how the bill would injure the petitioner's interest. He also believed, that none who had right of common objected to the bill, excepting the petitioner, and he knew there were many of them who wished the bill to pass.

Mr. ROSE denied that the bill before the House could be said to take the petitioner by surprise. It had been depending in the House twice as long as any private bill ; there had been many intimations in the newspapers of the various stages of its progress through the House ; besides which, it had been pretty generally circulated amongst persons who had any considerable property in the neighbourhood of the New Forest, nor could he see how the bill could be injurious to the rights of any individual. On these grounds he should object to the bringing up of the petition, the object of which seemed to be to delay the bill's passing through the House.

Mr. SPEAKER observed, that when a petitioner stated, in general terms, that his interest would be affected by a bill, it was not usual for him to enter into a specification of grievances ; nor, for

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want of so doing, was it usual for the House to refuse to suffer a petition to be presented.

The question being put, it was then carried that the petition should be brought up ; which being accordingly done, and read by the clerk at the table,

Mr. HOBHOUSE moved, that the petition lie on the table, and that the petitioner be heard by himself or counsel against the bill on the third reading.

Mr. ROSE objected to the petitioner's being heard by counsel against the bill, on the same grounds as had led him to object to the bringing up of the petition ; he then moved, as an amendment, to leave out that part of the motion which proposed to allow the petitioner to be heard by Counsel against the bill.

This brought on a long desultory conversation, in which Mr. ROSE's amendment was supported by Messrs. WILBERFORCE, STURGES, the ATTORNEY GENERAL, Colonel ELFORD, Mr. PERCIVAL, Mr. ELLISON, Mr. DOUGLAS, Mr. SIMEON, and Mr. YORKE ; and was opposed by Messrs. HOBHOUSE, JONES, Sir F. BURDETT JONES, Mr. NICHOLLS, and Mr. MARTIN.—The question was then put on the amendment, Ayes, 36 ; Noes, 12.

On the motion for the second reading of the bill to empower Their Majesties to dispose, by will, of their real and personal property,

Mr. SUTTON expressed a hope that the honourable member opposite to him (Mr. Nicholls) would withdraw his opposition to the bill, as he had the authority of his Royal Highness the Prince of Wales to say, that, so far as his interest was concerned, he most readily acquiesced in it.

Mr. NICHOLLS said, that notwithstanding what had fallen from the learned gentleman, he felt it his duty to oppose this bill. There was no doubt but that His Majesty might in his lifetime dispose of his personal property, but he conceived that he had no more right to dispose of it by will, than he had to dispose of his Crown. The learned gentleman who brought in the bill had founded a contrary opinion upon the 16th. of Richard II. With the greatest deference to the opinion of that gentleman, he should contend that this parliamentary declaration could not be entitled a statute, because it did not appear to have had the sanction of the three branches of the Legislature. It certainly was to be found upon the parliamentary roll, but it was not upon the statute roll. Mr. Nicholls then proceeded to quote the opinion of Lord Coke, and read some passages from the trial of Lord Macclesfield, to shew the difference between the Parliament and the Statute Roll. It appeared to him there-

fore that the 16th of Richard II. was only an ordinance, and not a statute, because it had not the royal assent; and Lord Coke had distinctly stated, that an ordinance had not the force of a statute.—He then cited a variety of cases, in which Kings of England had made wills, notwithstanding which their successors took their personal property. In giving the Sovereign this power of disposal over his personal property, it should be recollected, that the personal property of a King might be considered as going to a very great extent; if jewels were considered as personal property, why not money in the Exchequer, ships, naval and military stores, &c. ? in short, it would be very difficult to ascertain what was personal property. In the reign of Queen Anne the opinion of eight lawyers was taken with respect to the power of Her Majesty to dispose of her jewels, and their opinion was that she could not. This bill had been called a declaratory bill; but he contended that it would declare that to be law which was not at present the law of the land; if, on the other hand, its object was to create a new law, it would be extremely unjust to His Majesty's successors, whoever they might be. The consent of the Prince of Wales was certainly sufficient as far as his rights were concerned, but it could not affect the rights of other persons. He would not now enter into a consideration of the policy of this bill, because he trusted the Attorney General would feel that he could not support it as a declaratory law; and if it was meant as a new law, the House must feel that it was of a nature much too important to be brought forward at so late a period of the session. It might be said, that it was very hard that His Majesty had not the same right as any of his subjects; but the answer was short, that he was not a subject, and consequently, from his situation, did not want any such right. He could not want it for the purpose of making a provision for the Queen, or any of his children, because they were provided for by Parliament; and, without some very strong reason, it appeared to him unwise to make so great a change as this bill most undoubtedly would make.

The ATTORNEY GENERAL said, that nothing which had fallen from the honourable gentleman had in the least altered his opinion of the bill. He admitted, that this was a subject upon which much doubt and difficulty existed; and it was for that reason he thought there should be a parliamentary declaration upon the subject. The honourable gentleman had at some length contended, that the 16th of Richard II. was not entitled to the force of a statute, and that it was upon that declaration or ordinance alone that he (the Attorney General) had the right of disposing of his personal property. The honourable gentleman was incorrect in sup-

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posing that he had stated that that right originated in the 16th of Richard II. : he had said no such thing ; he had merely quoted the 16th of Richard II. as a parliamentary recognition of that right. He would not now enter into a consideration of the question, whether the 16th Richard II. was or was not strictly a statute ; but he contended that the King had, by common law, a power of disposing of his property, though the extent of that right was not precisely ascertained. He could not be supposed to say that that right was founded in the 16th of Richard II. because it was exercised by his grandfather Edward III. The Attorney General then proceeded to state a great number of instances, in which Kings of England, from the earliest periods, had disposed of their personal property by will. From all these cases it was clear, that this was a right which had been constantly exercised and submitted to, though he was willing to admit that there was some difficulty and obscurity upon the subject. It had been said that this bill would enable His Majesty to dispose of money in the Exchequer, &c. ; but it should be recollected that the King had only the disposal of his privy purse ; for almost every other branch of the public revenue was appropriated ; and, therefore, His Majesty's situation was extremely different from those Kings in the early period of our history, whose cases had been alluded to. His Majesty had made some purchases, very small in their extent ; but he had occasion, from his professional situation, to know that there were many little vexatious circumstances which His Majesty had to encounter, merely from the difficulties existing upon this subject. An instance occurred at the decease of the Princess Amelia, who had acquired some property after she had made her will ; and though His Majesty was disposed to let that part of the property pass under the will, he was not able to do it. It appeared to him extremely hard that His Majesty should be prevented from making a provision for an affectionate child, or remunerating a faithful servant ; a right which the meanest of his subjects possessed. His Royal Highness the Prince of Wales had acted in this instance as he always would, and had given his consent. Under these circumstances he hoped the bill would not be opposed ; and if any alteration was necessary, it might be made in the Committee.

Mr. ROSE said, the honourable gentleman (Mr. Nicholls) was incorrect in supposing that it was necessary to appear upon the Parliament Roll, that the assent of the three branches of the Legislature had been given to a bill ; and mentioned an instance, in which a bill had originated in the Lords, and it was only stated on the roll that the King and the Commons had consented to it.

The bill was then read a second time, and ordered to be committed.

Friday, July 5.

The Monastic Institutions bill was read a third time and passed.

Colonel GASCOYNE brought up a bill to explain and amend the Workmen's Combination act, which was read a first, and ordered to be read a second time on Monday.

On the motion of Mr. Secretary DUNDAS, the House resolved itself into a Committee to consider of effectual means for preventing depredations on the river Thames and its vicinity. He stated shortly the expected advantages of the plan of police which it was intended to render permanent, for regulating the trade, &c. carried on, on the river Thames. The depredations committed on this river were so numerous, and the consequent injury to trade so great, that the merchants had entered into an association with a view of checking the evil : but though much good had resulted from that spirited measure, it was found that no adequate protection could be given to trade, without establishing a permanent police for the purpose of restraining and punishing persons guilty of that crime. It was his wish that the consolidated fund should be charged with the expence of the police sought to be established ; and he did not doubt but the saving to the revenue, so certain to accrue from the regulations to be adopted, would be very considerable. Perhaps the annual saving in this way would amount to 30,000*l*. The meditated regulations would particularly settle the future government of the bum-boats and all other craft used in loading and unloading. The right honourable gentleman concluded with moving two resolutions, in conformity with the plan proposed in his speech ; which were agreed to, and the report ordered to be received on Monday.

Mr. JONES said, that had he seen the right honourable Chancellor of the Exchequer in his place yesterday, he would have moved for certain documents relative to the convention between the French and Ottoman troops in Egypt. He now rose to move for a copy of the instructions given to the Commander in Chief of His Majesty's fleet in the Mediterranean, for breaking the convention entered into between Sir Sidney Smith, the French General, and the Commander of the Ottoman army, for the evacuation of Egypt by the French.

Mr. Chancellor PITT observed, that it was usual to give some days previous notice of motions claiming so great importance as that which had just been made by the honourable gentleman. He therefore trusted that the motion would not be pressed that evening.

But there was a material objection to the motion on another ground, namely, that it described the paper fought for to be a copy of the instructions given for breaking the convention. This was at once assuming as a fact what it must partly be the object of the motion to ascertain.

Mr. JONES now withdrew his motion, and gave notice he would bring it forward in another form on Tuesday next.

Mr. SECRETARY AT WAR moved the order of the day for the House to resolve itself into a Committee of Supply; which being read, the Secretary at War moved, "That the estimate which had been laid before the House, of the expence of providing an asylum for the orphans of soldiers, be referred to the said Committee;" which was ordered.

The House then resolved itself into a Committee of Supply.

Mr. SECRETARY AT WAR rose to submit to the consideration of the Committee the propriety of establishing an asylum for the reception of the orphans of soldiers. He was very sure that the good sense and humanity of the House would not render it necessary for him to say much upon this subject. To provide for destitute orphans was at all times a desirable object; but the orphans of soldiers had a still stronger claim upon the bounty of the nation. Soldiers had not the same means of providing for their families that sailors had, who were provided for on board of ship, and who could therefore better make a provision for their families. The application which he was now making for the assistance of Parliament, was not for the permanent maintenance of this institution, but merely for the purpose of setting it on foot; he entertained great hopes that its permanent support would be effected by voluntary contributions. The number which he should propose in the first instance to be admitted on this institution, would be 500, viz. 250 of each sex, none of whom were to continue in it longer than the age of fourteen. He should also propose, that at the age of twelve the boys should have the choice whether they would enter the army or prefer another mode of life, and that their education for the other two years, viz. till they were fourteen, should be governed by their choice. He did not mean, however, that they should be finally bound by the choice they should make at twelve; but that if at the age of fourteen they still persisted in their intention of entering the army, they should be then enrolled. With respect to the expence of attending this establishment, undoubtedly every regard would be had to economy; and he believed he might state, with some degree of accuracy, that in ordinary times, viz. when provisions were not so high as they unfortunately were at present, the

expence would not exceed the rate of 15l. per head. He had also the pleasure to inform the Committee, that a place had been found for the erection of this building, in the highest degree commodious;—it was at Chelsea, which was a proper distance from London to enable those who would have the inspection of this establishment to watch over it constantly. It also appeared to him to have an advantage in being in the vicinity of another institution of a similar nature, by which it might be said that both ends of a soldier's life would meet—in the one they would find an asylum in their infancy, and in the other a retreat in their old age. As to the building which was to be erected for this institution, it would not be upon an expensive scale. He could not, however, avoid observing, that in the edifices which had been erected for public purposes, this system of economy had in his opinion been pushed much too far. Buildings erected for national purposes, and which were to last for ages, ought to afford specimens of the talents of the country. Those persons who wished to exclude every other consideration but that of mere utility, would do no service to the country; for they would depress the fine arts, and in a great degree the mechanical ones. The building however of which he was now speaking, would not deviate from that system of plainness and economy which had hitherto been adopted, and which made many of our public edifices more like barracks than any thing else. He would not at present trespass further upon the time of the Committee than to move, “That a sum be granted not exceeding 25,000l. for the purpose of erecting an asylum for the orphans of soldiers.”

Mr. HUSSEY said, it was not his intention to oppose the motion; but he wished to make one observation with respect to the place which had been selected. He did not see any advantage that would result from having it so near London: provisions were not cheaper, nor would the morals of the children be improved by it. He thought the neighbourhood of Portsmouth or Plymouth would be much more eligible.

Mr. SECRETARY AT WAR replied, that one great advantage of having it so near London would be, to place it more under the controul of those who would have the inspection of the institution; and, with respect to the morals of the children, he was not aware that they would be in less danger in the vicinity of Portsmouth or Plymouth, than in that of London.

General TARLETON approved of the measure, and was glad that some provisions were to be made for those who were fighting for their country, and who were certainly exposed to “the pelting of the pitiless storm.”

The resolution was then agreed to, and the report ordered to be received on Monday.

Sir F. B. JONES presented a third petition from W. Scott, Esq. against the New Forest bill, couched in the following terms :

To the Honourable the House of Commons, the humble Petition of William Scott, Esq. of Wimpson, in the county of Southampton,

“ HUMBLY SHEWETH,

“ That there is a bill now before this honourable House, intituled a bill—“ For the better preservation of timber in the New Forest, in the county of Southampton ; and for ascertaining the boundaries of the said forest, and for the lands of the Crown within the same.”—That your petitioner has a landed estate in the said county of Southampton : That by virtue of such estate he has a valuable right or common in the said forest : That such right is materially affected by the bill aforesaid, and will in a great measure be destroyed if the said bill shall pass into a law. And your petitioner humbly sheweth, that he is now in attendance, and desires, with the permission of this honourable House, to be heard immediately at the Bar against the said bill.—That your petitioner will be deprived of such right without any equivalent or compensation : And your petitioner humbly requests to be so heard.”

Lord HAWKESBURY thought, as the present petition particularised the mode in which the petitioner conceived the bill would operate to his injury, it ought to be received ; but as a business of very considerable importance stood for discussion that evening, he thought that the hearing of the petitioner's counsel should be deferred to Monday, for which purpose he would move that the third reading of the bill should be postponed to that day.

Mr. HOBHOUSE observed, that, after the part he had taken last night, it would be proper for him to say a few words. He had stated to the House, when the gentlemen on the other side had offered to grant the petitioner leave to appear by himself or counsel at the Bar this evening, that the proposal would be of no use, as evidence could not be brought forward by that time. Since, however, it appeared that the petitioner was willing to close with that proposal, and to shew that his right of common, the possession of which the House was ready to concede to him without hearing evidence, would be affected by the bill, he thought that the prayer of the petition could not be resisted.

After some observations by Mr. WILBERFORCE and Mr. ROSE, the petition was ordered to lie on the table, and the peti-

tioner to be heard by himself or counsel on the third reading of the bill.

A similar petition from the Duchefs of Bolton was disposed of in the same manner.

Colonel LOWTHER, in order to afford the Duchefs time to bring witneffes before the Houfe, moved that the third reading of the bill fhould be postponed to Tuesday. This amendment gave rife to a defultory converfation of fome length.

The ATTORNEY GENERAL faid, he could fee no reafon for fuch delay. The Duchefs of Bolton, he was fure, had mifconceived the nature of the bill. He was perfectly well acquainted with her rights, from the report of the Committee on the State of the Crown Lands; and he would take upon himfelf to fay that they would not be in the remotef degree affected. They were exactly of the fame nature with thofe of Prince William and Princefs Sophia of Gloucefter; and both of thefe illuftrious perfonages had given their unqualified affent to the bill.

Mr. GOWER LANGTON propofed as a certain way to remove all difficulties, that a proviso fhould be inferted to protect uninjured all the rights of her Grace the Duchefs of Bolton.

Mr. W. DUNDAS faid, that this noble perfonage fhould fooner have laid in her claims, as fhe had fufficient notice. At this rate, fome one elfe might come in on Tuesday and call for delay with equal propriety.

Mr. PIERREPONT thought that it would be ungallant in the Houfe to refufe the delay which was requested on the part of the Duchefs.

Mr. ROSE faid, that, out of doors, the laws of gallantry were omnipotent; but in that Houfe they muft facrifice politeneff to the good of the State.

Mr. HOBHOUSE faid, that he thought the honourable gentleman feemed to have infifted too much upon the lateneff of the time at which this, and another petitioner alfo, had urged their claims. In common cafes of inclofure, notice was given that fuch an aft was to be foli-cited, and the confent of each individual was asked: The parties in the prefent inftance might have expected a notification, and alfo an application for their confent; for they could not have fupposed that Parliament would make an attack upon their rights. It appeared from the petition, that the Duchefs had no knowledge of this bill until the 3d inftant. As to what had fallen from the learned gentleman (the Attorney General), he would beg leave to make a remark or two. He had introduced this bill, and thus he was Counfel for the Crown: He had examined the claims

of Prince William of Gloucester and the Princess Sophia, to determine for them, whether their rights would be affected by the bill; and thus he might strictly be said to have been on the present occasion counsel on both sides. This was not very usual in the practice of the courts. The Duchess of Bolton's claims, the learned gentleman had asserted, were exactly of the same nature as those of the two illustrious persons he had mentioned. But was the House, upon that assurance, to preclude the Duchess from bringing forward her own case? This would be to prejudge her cause, and to act in defiance of the Constitution, which gave to every individual a right of explicitly stating his own rights, and the injuries he had reason to apprehend in consequence of any public parliamentary proceeding.

Sir F. BURDETT and Mr. SHERIDAN supported the motion.

Mr. DUDLEY RYDER said, that no person entertained a more sincere respect for the Duchess than himself. But, however much he might be disposed to shew himself a man of gallantry out of doors, he had considerations of another kind to attend to as a member of Parliament.

The amendment was carried without a division.

Lord HAWKESBURY moved the third reading of the millers' bill, and said, that in consequence of some observations which had been thrown out in evidence respecting the Union Flour Mills at Birmingham, the persons concerned in that undertaking were anxious to give some explanation upon the subject; and there was a person attending to be examined if the House should think proper: they wished that this person should be examined, in order to do away any unfavourable impression which might have been made against their establishment.

Mr. SHERIDAN said, that the proposition suggested by the noble Lord would soon be decided, as nothing could be more irregular than such a proceeding. Had these witnesses been formally examined, Mr. Plumer or Mr. Adam would have had an opportunity, on the part of the petitioners against the bill, of cross-questioning them, of extracting from them some points which might be material to the petitioners, and of commenting to the House upon their evidence; but now the petitioners would be deprived of this advantage, which they are entitled to. He thought it also unfair in the noble Lord, in the present stage, after the evidence had been heard, to throw out an insinuation, which, if it does any thing, tends to impress the minds of gentlemen with the idea that the evidence now before them is not correct.

Mr. SPEAKER said, that it would not be a thing entirely without precedent, though certainly it was very unusual to call and examine witnesses in this stage. A very strong case would be requisite in order to justify the proceeding; but the noble Lord had a right to make the motion.

Lord HAWKESBURY said, that he did not wish to do any thing contrary to the sense of the House; he only thought it was a thing that a regard to the credit of the Birmingham Company, which some part of the evidence went to affect, required. But he did not think that the case upon which this bill rested could be involved, though this evidence were not produced.

Mr. ROSE thought that the case stated by a noble Lord was as strong as any could possibly be.

Mr. TIERNEY spoke to order. He said that there was no question at present before the House, and that therefore this conversation was irregular. He would observe besides, that, allowing that the evidence which had been adduced proved that the Birmingham Union Company had not been successful, their want of success could not possibly affect their credit.

The order of the day for the third reading of the bill was then read, and Lord HAWKESBURY moved that this bill be now read a third time.

Mr. TIERNEY said, that he understood that there were a great number of members of the House who were petitioners for the bill, and that a still greater number were engaged in the speculation which the bill went to realize. In this case he would suggest, whether, according to the forms and regulations of the House, they could vote upon this bill? In the case of the loan of 1797, called the Loyalty Loan, the law on this point was most ably and clearly laid down; and, if he recollected right, it was then stated that no gentlemen could vote on a question in which his interest was immediately concerned. He knew that gentlemen frequently sat in Committees, and voted upon canal and turnpike bills in which they were personally interested; but this was an exception, not the rule of the House. Now in this case, by the provision of the bill, gentlemen are allowed to have 10 per cent. for their money, which is 5 per cent. more than the legal interest: if this does not imply an interest in those who are engaged in the speculation, he did not know what would constitute it.

Mr. SPEAKER said, that the suggestion of the honourable gentleman could at all events only apply to those gentlemen whose names were mentioned in the bill; other gentlemen might be con-

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cerned, but there was no document to establish their interest. The case to which the honourable gentleman had alluded, of the loan in 1797, so far as he recollected, was, that when the House was in a Committee of Supply, it was proposed to vote some remuneration to the sufferers by that loan: some gentlemen at that time suggested to him a doubt how far those gentlemen, who, being personally concerned in the loan, were of course immediately interested in the resolution before the Committee, had the right of voting. The substance of what he stated in answer, he believed to be, that in questions which immediately concerned the interest of gentlemen, they ought not to vote; but when the question related only to some part of a bill, or to the general tenor of a bill, which in some way or other might affect their interests, they were entitled to vote: and the instance by which he illustrated this opinion was, that gentlemen might vote on the general question of a loan being granted to Government, and upon all the questions which might arise out of this, except that which went to fix the specific interest to be granted on the loan, though they themselves were the loan contractors. To apply this principle to the present case of the bill before the House—Upon the single question fixing the amount of the interest to be allowed to the sharers of the proposed company on their money, such sharers ought not to vote; but on the receiving the second reading, or any other stage of the bill, or upon any other question arising out of the discussion, they were entitled to vote. This was the opinion which he still held as to the rule in such cases; therefore he conceived that there could be no objection to any gentleman voting on the third reading, or even on the question of the passing of this bill, though he might be personally concerned in the establishment; and their votes could only be excluded upon this ground—in case any gentleman should think it proper to move, after the third reading, an amendment relative to the interest to be allowed on the money advanced on the establishment.

Mr. RYDER perfectly coincided in the opinion just stated by the Speaker; but he conceived that there was an essential difference between the case of the loan in 1797 and the present bill. The resolution moved in the Committee of Supply at that time went to grant a certain advantage to those concerned in the loan; but in this case the advantage was perfectly contingent. This was a mere mercantile speculation, from which no ultimate profit might arise; and therefore, even upon the question of interest, he thought that, in conformity with the principle laid down, gentlemen who had engaged in the speculation might vote.

Mr. SHERIDAN said, that he agreed in every point which had been stated by the Speaker; but he could by no means agree that the difference which the right honourable gentleman (Mr. Ryder) had stated between the certain interest in the case of the loan of 1797, and the contingent interest in the present case, affected the general principle of immediate interest taking away the right of voting. "The rule is absolute and certain, and in cases where a question of interest is immediately to be decided, those immediately interested have no right of voting. It makes no difference whether the advantage is great or small, whether it is certain or contingent. The interest remains, and with that the disqualification to vote." He hoped that gentlemen who intended to oppose this bill would make their opposition, not to the third reading of the bill, but on the question that the bill do pass, when he would have an opportunity of moving an amendment, which he was determined to move, "That the profits to be allowed on the money advanced on this establishment should be reduced from 10 to 5 per cent." If the petitioners for the bill were really actuated by the patriotic views which they professed, those of contributing to the public good, they would have no objections to being restrained to having the legal interest for their money.

Mr. SPEAKER said, that he wished the House and the honourable gentleman to understand, that the opinion which he had stated left every gentleman at liberty to vote on the third reading of the bill, and also on the question that the bill do pass. If the honourable gentleman chose to move the amendment he had mentioned, it would then be for the House to determine whether gentlemen who had petitioned for the bill, and who were interested, had a right to vote. Even then the method of proceeding would be to divide the House, to allow every gentleman to vote, and then, if the honourable gentleman objected to the vote of any member being received, he could move the House that it should not be counted. At present, however, this question was not to be decided, and the regular mode was to put the question of the third reading of the bill.

This question being put,

Mr. PLUMER said, that he would leave it to the feelings of those gentlemen who had a personal interest in the bill, to decide whether they would vote upon it or not; but notwithstanding what had fallen from the honourable gentleman, he found himself called upon to oppose the third reading of the bill, as he had done in every stage of it. The ground upon which the bill was introduced, and the purpose it was intended to serve, was to contribute to the supply

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of the metropolis with bread, which was alleged to be affected by a supposed combination among the millers. No evidence whatever had been adduced of the existence of this combination; and the learned counsel for the bill, on account of this total defect of evidence, very fairly gave up the point. But though such a combination had really existed, he contended that the effect of establishing this company would be to increase the evil tenfold; because then there would be removed from the competition of the market a great number of individuals, and the market would be commanded by one large incorporated body, who would engross great part of the trade. A right honourable gentleman near him (the Master of the Rolls), high in office under Government, had, when the Albion Mill Company applied for a charter, given it as his opinion, as well as that of the then Solicitor General (Sir Archibald M'Donald), that no such charter ought to be granted on the very account which he had stated. He had no objections to gentlemen subscribing and establishing any manufacture which they might conceive to be for the interest of the community; but he must always be adverse to charters being granted to such companies, especially where a matter of so much importance was concerned as the supply of the metropolis with bread, because the granting them a charter put them on a different footing with other traders, gave them the advantage over them, and thus eventually went to destroy all competition. On these grounds he must oppose the third reading of the bill.

The MASTER OF THE ROLLS said, that as he had been alluded to by the honourable gentleman who had just sat down, he felt himself called upon to say a few words. It was true, that when the Albion Mills Company applied for a charter in 1784, the opinion of the then Attorney and Solicitor Generals, the former of which offices he had the honour to hold, was taken as to the propriety of granting it. Their opinion was never formally given in to the Crown; but he signified to the agents of the company, that if they persevered in their application, he would give an opinion adverse to it. Upon this it was withdrawn. He now wished that the opinion had been formally drawn out, because in this case it might have been at present referred to, the grounds on which it rested would have been seen, and thus there would have been no misapplication of it. But he wished to be understood, that it was entirely unconnected with the manner in which the trade was carried on in and about London; and that the principal objection in his mind to the granting of this charter was, that granting a charter to a company employing a vast capital, which might enable them to carry on the whole trade of the metropolis without any restric-

tion, which was the object of the charter applied for, would be attended with extreme danger: and he still thought that granting charters without restriction, for establishments of this kind more particularly, would be impolitic, and productive of the worst consequences. As to the present bill, it was for the House to decide, and he had not himself yet fully made up his mind upon it, whether the restrictions contained in it so far removed the danger as to authorise its being passed.

Mr. PLUMER explained.

Mr. BIDDULPH said, that he for one was a subscriber to the proposed establishment; but while he sat as a member of Parliament, no consideration would make him surrender his vote as a member of Parliament; he would rather resign his money to any amount. He was convinced of the great utility which this establishment would be of to the metropolis and the country, therefore he would vote for the third reading of the bill. He wished, however, the point as to the success of the Birmingham Union Mills to be cleared up, and on this account to know when it would be regular for him to move for calling in a witness who was in waiting.

Mr. SPEAKER said, that the honourable gentleman might now move for the calling in of the witness.

Mr. BIDDULPH then moved, that this witness should be called in; but he was not seconded.

Mr. PERCIVAL strongly opposed the bill, and particularly objected to what had fallen from the honourable member who began this debate (Mr. Plumer), as to leaving it to the honour or feeling of those gentlemen who were subscribers, whether they would vote or not. He thought they ought to vote by all means. The honourable gentleman who had started the objection seemed to him not to be aware to what an extent their doctrine led. If a question of an additional land-tax was to come on in that House, should every member who was liable to pay that tax be excluded from voting, because he was interested? If a question was agitated relative to the funds, should every Member who had an interest in the funds be made incapable of voting? This would certainly be the case if so trivial an interest as the present should be allowed to incapacitate from voting. As to the bill now before the House, he viewed it as a measure of the most extreme importance to the metropolis and the country at large. He had looked at it in all its bearings attentively—considered all its provisions; and in every possible light in which he saw it, he was more and more convinced that the measure was most impolitic and unwise, and certainly at this time most unseasonable. No measure of public utility ought

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to originate in times of public pressure. Every measure of this nature ought to be proportioned to the pressure, if there was an actual necessity for it. The only necessity which could be, or had been, urged on the present occasion, was the scarcity which had for some time past prevailed. However, it had always been usual, on every occasion when the Legislature had found it necessary to make a law on the spur of any occasion, and a regulation of this kind was applied for, to limit the duration of the act to the emergency of the occasion which called for it. If this emergency was to be attributed to the present scarcity, it was absolutely nugatory, for it could not be brought to operate on the present evil. The great extent of the buildings, the magnitude of the wheels, and every part of the machinery to be used in it, were such, that it must be a year and a half, or two years, before they could begin to work. Our present scarcity, there was every reason to hope, would vanish when the next harvest was reaped; so that the supporters of the present bill were originating a measure that would only begin to operate when the evil had ceased. The honourable gentlemen who supported the bill had shewn considerable adroitness in their mode of conducting the business of its procedure. In such a case as this, one would suppose that those applying for an incorporation bill should lay before the House some grounds for such a measure, and that they would support these grounds by evidence. But here is no such thing; not a single tittle of evidence is produced on their part; but they very dexterously put it upon the millers and bakers to prove a negative; and then immediately tell them, "We don't very well like the nature of the evidence you produce; Mr. ———, the miller, who is a great monopolizer, will never bring proofs of his own monopoly." Why then do not the supporters of the bill produce the evidence to this effect, if such a thing really exist? The supporters of the bill say, they do not mean to make any charge against the millers and bakers: but it is exactly the same thing as if they had made a direct charge; for surely the effects of the measure must be to say, that the millers and bakers get great profits from the people. If this was not the case, it would seem as if they thought there was a deficiency of mills to grind the necessary quantities of corn for the daily consumption of the metropolis and its vicinity. Here again Parliament have a right to complain, and have not been very well used by the supporters of the bill, who certainly ought to have produced some evidence of such a fact. But on this, as well as the other head, there is not a single tittle, not one solitary witness produced; whereas, on the contrary, it has been proved in the strongest and

most satisfactory manner by the millers, that the mills around the metropolis will grind in seven months a sufficiency of corn to supply the metropolis for twelve months. This proves at the same time that there cannot be any deficiency of machinery either. Why then should the House pass a bill of this nature, which, without any evidence whatever, was to establish facts that have no existence, and which in the end may be productive of the most mischievous and fatal consequences? Having proved that the supporters of the bill had brought no *viva voce* evidence in aid of it, Mr. Percival next adverted to the only evidence of any kind which they had adduced. These were statements on paper, and related to two objects only, on which they argued and relied. The one was the Birmingham Union Mills; the other, the Albion Mills. Neither of these, he contended, proved any thing material in favour of the bill. The Birmingham Union Mills, he said, would not bear at all on the measure. He then went into a statement of their capital, which was upwards of 6000*l*. He shewed the per-centage they put by, which was 10 per cent. for keeping their premises and works in repair; and the interest they received for their money, which was little better than 4 per cent.; that if those mills were in London, it would be an actual losing concern, in consequence of the difference of the price of coals, corn, and other articles; and that the principal profit derived from the Birmingham Union Mills was in the profit the proprietors received from being also the consumers of their own corn, which they got by so much cheaper, as they saved the profits they would otherwise pay to the miller and baker, after first purchasing their own corn at the cheapest possible hand; so that they eat their bread cheaper than other people in Birmingham and its neighbourhood could do. In the case of the Albion Mills, the honourable gentleman contended, they did not at all advance the argument in favour of the present bill. The supporters of it had in that point also carefully avoided to bring forward any evidence to shew the truth of what they asserted—that during the five years they continued they lowered the prices in the market. The millers, on the contrary, had proved, in the most satisfactory manner, that, comparatively taking the prices of each period, they were the cause of raising the price of the market. If the supporters of the bill had chosen to contradict this, or to prove their own assertions, they might have produced their books, and shewn what the prices and what their profits were. Here was another point on which Parliament had a right to complain. Mr. Percival next requested the attention of the House to a paper delivered in by Mr. Pratt; not brought designedly by him, and drawn

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up at leisure, but which was requested of him by an honourable Member, and which he made out and delivered in a few hours. By this statement it appeared, that Mr. Pratt had purchased 7000 quarters of grain for the use of his own consumption in the supply of his trade, which cost 40,000*l.* in six months. By a calculation of the price of grain at the time of the Albion Mills, the same quantity of wheat would have required no more than about 16,000*l.*; so that there was now a demand of considerably more than double the capital required to supply the same call, which was a clear proof that higher profits were very fairly to be looked for now than at that period. The millers, as well as all other persons, were entitled to fair and reasonable profits as a remuneration for their labours and their losses; and he believed they were contented with as moderate ones as any other description of persons whatever; and when they were called upon to vote this measure on the experience of the Albion Mill Company, they must surely look a little to that experience. They had had their speculations, and those not all of the most clear and open kind. There was a case in Henry Blackstone's Reports of Trials in the Common Pleas, vol ii. p. 63, which was worthy the attention of gentlemen. The substance of it was as follows:

“ Action—Rundeau v. Wyatt.”

“ The case states an agreement by the Albion Mill Company to sell 3000 sacks of flour, which the plaintiff was to export, but the Company refused to deliver—Verdict against the Company in Michaelmas term, 1791. Facts stated—That defendant, as one of the proprietors of the Albion Mill, entered into a verbal agreement to sell 3000 sacks of flour, on an express condition that the flour should be exported to foreign parts, from some port which the plaintiff was to open, and should not meet the defendant and the Company in the home market. To carry the scheme of exportation into effect, the plaintiff sent to Shoreham, in Sussex, a large quantity of corn and flour, merely to reduce, by collusion and a fictitious sale, the market price to the level prescribed by the act of Parliament; but the trick being discovered, the exportation was prevented; and as the plaintiff could not export, the Albion Mill Company would not deliver the flour. Plaintiff had filed a bill in Chancery, praying a discovery of the facts, and the names of the partners—In his answers, the defendant Wyatt admitted the agreement, but pleaded the statute of frauds, averring that there was not any agreement in writing.”

He did not mention this out of any disrespect to the Albion Company, but to shew their spirit of speculation. The present incorporation Company, he shewed, must be attended with the most serious and fatal consequences if the bill was suffered to pass. "They are to be allowed to take to their share an eighth part of the consumption of the metropolis. In doing this, they go on a speculation very different from that of the millers, and which actually takes away every idea of competition. If the Company fail in any of their speculations, they can only suffer to the amount of their shares. If the millers fail in the same way, they may lose their all. If the Company enter upon speculations, they do so without caring whether they gain or lose: if the millers do it, they must venture with a view to profit and the support of their families. In short, all competition will be clearly out of the case, and entirely done away. The scheme can only be viewed in two points. Say the millers, If it is a gaining concern to the Company, it will inevitably ruin us: if it is a losing concern to the Company, they ruin us and themselves also. Both ways it is equally dangerous. Besides, it is taking one eighth part of the consumption out of the market; this eighth part must be sensibly felt by the millers; and upon what class of them will it fall? Not upon the great millers, but the smaller ones. Thus, if the millers are inclined to monopolize, you leave all the power of doing so to the most opulent among them and the Company; the smaller ones, who could prevent it, will be no more." He thought it wrong to trust any collection of men with such a monopoly as would drive the present dealers out of the market, and throw the whole of the most essential articles of the necessaries of life into the hands of one set of men, who would then have it in their power to grind and oppress the public, when, and to as great a degree as they should think proper. After requesting pardon of the House for detaining them so long, Mr. Percival concluded by giving his hearty negative to the third reading.

Lord HAWKESBURY began by observing, that if an argument urged by an honourable gentleman (Mr. Tierney) against those persons voting on the present measure who might have interest or share in the proposed establishment, was of any weight, it would also preclude from voting landed gentlemen who purchased their land tax, and monied men who held any share of a loan; in a word, it would deprive most Members in the House of the right of voting on the most momentous questions. It had also been argued, that measures of general and public utility should not take their rise from any particular pressure; if that were the case, the House would have been precluded from bringing forward many of the wisest and most

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useful measures that in their deliberative capacity they had ever adopted. If, then, they but now looked at the extreme distress which pervaded almost all the classes of the community, arising out of the present alarming scarcity, they most undoubtedly would see ample ground for entertaining the question now before them, and for endeavouring to devise a remedy for the evil which it was its object to redress. It was not once only, but now for a second time within a short period, that we were exposed to, and suffered under, this calamity. Indeed, it was a melancholy fact, that the country did not produce a sufficient quantity of corn for the consumption of its inhabitants. When, on account of the badness of the season, the country might therefore be frequently exposed to a similar distress, it was evident, that the authors of the bill were not induced to bring it forward by the urgency of any particular calamity, but from an extended view of what might hereafter tend to produce its recurrence, or at least of what might mitigate its severity. It had often been said (and he would not deny it) that there was no scarcity except what arose from the deficiency of our crops; yet it might also be true, that a combination, or certain artificial means, were among the causes that aggravated the evil: something of that kind now existed, and tended not a little to extend the evil. The noble Lord then went into an enumeration of the causes and means which contribute to diminish the consumption of bread: in years of scarcity one-sixth less was consumed than in years of plenty, and many parts of the grain were brought into use which in plentiful years were not introduced into the food of man. The bill for preventing the use of new-made bread had also contributed much to diminish the consumption. Upon the whole, it would therefore appear that the present distress was owing, at least in part, to some artificial causes, and not merely to the scarcity, and to a greater quantity of fine flour being generally employed in proportion to the coarser parts of the grain. It was hard, indeed, to change the habits of a people; and if you fail in the attempt, you only confirm the habit which you are anxious to eradicate. But the bills for regulating the assize of bread, or for regulating the practices of millers, which had unfortunately been thrown out, had a great tendency to wean the public from these habits. The tendency of the present measure was, to establish a Company who would manufacture this mixed and inferior kind of bread; and from this establishment he was convinced the public would reap great advantage, by its keeping down the price of bread, without exposing them to any disadvantage, at least to any such disadvantage as should dissuade the House from making the experiment. There were now 150 mills in the vici-

nity of London; but 20 mills situated on the Thames would be better able to supply the London market than it is now supplied. Such a system would moreover exceedingly diminish the expence attending carriage, the use of mechanical powers, and the commercial management of the concern, which, in proportion as it was large, was generally conducted on a comparatively smaller expence—All these advantages would evidently result from the adoption of the present measure, and there would be no room left for combination. Here the noble Lord begged leave to observe, that he meant no reflection upon the body of millers; he by no means imputed to them anything like an illegal, immoral and criminal combination. But though he would not say that a combination of that description existed, yet it was clear that there existed something that had the effect of it; he meant a sort of understanding between the parties, which precluded the advantages of a fair competition. This kind of understanding, though not criminal in the eye of the law, had, however, the effect of an illegal combination; and this was the evil which he was solicitous to see cured; and how could it be remedied but by securing a free competition? What, then, were the means of securing such a competition? In his opinion, it was not to be done entirely either by corporations or individuals, but, perhaps, in some degree by both; but, if left wholly to individuals, a combination to a certain extent was inevitable. By the system now proposed to be introduced, traders on different principles would be brought to rival each other, and this rivalry will prove a spur to competition. The distress of the present moment, he would again repeat it, might be much alleviated by the introduction of brown bread, though the use of it would be better enforced by example and encouragement than by any positive law. The experiment of brown bread for the use of the metropolis had not been fairly tried; but the establishment now in contemplation would afford fairer and ampler means of making that experiment, and he thought it might be made with considerable advantage, without occasioning any inconvenience or injury. As to the comparison drawn between the establishment of the mills now proposed, and the Albion Mills, nothing could be more unjustifiable. The Albion Mills were under no limitation or restraint; and the harm that might have arisen from them as such, could not be apprehended from the present measure, where the institution was to be duly limited and restrained. Upon the whole, the Albion Mills had been productive of much advantage; and it was difficult to prove that any mischief had arisen from them. They had reduced the profits of the millers one-half, and they did not command the prices of the market. There was, therefore, no

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ground for the charges brought against them by the petitioners against the present bill. There was another example to encourage the experiment that he wished to be tried in the Union Mills at Birmingham. Bread was there cheaper by 3*d.* than in the metropolis: the wheat flour was not dearer there than here: was not this, therefore, an argument for trying a similar experiment? he only wished to try it here to a certain extent, by having a coarser kind of bread manufactured at consequently a lower price. It was for the House to consider the advantages that must be derived from the experiment: they were many: they would correct the evils that were aggravated by artificial causes: they would increase the means of sustenance by introducing into bread many parts of the grain not commonly used for the food of man: they would prevent combination and promote competition, and considerably lower the expences attending the different branches of the trade. It was evident, upon the whole, that the operation of the bill would be productive of much good and no harm; and as such it should have his support, and he trusted that of the majority of the House.

Mr. SHERIDAN replied to Lord Hawkesbury: he commended the calmness and candour with which the noble Lord had treated the subject; and as he had had every possible opportunity of obtaining the best information respecting it, it was not unfair to presume that the noble Lord had urged every argument that could possibly be advanced in favour of the question; yet on no one point had he succeeded in answering the objections that were urged against it by a learned gentleman (Mr. Percival). Indeed the speech of that learned gentleman was admirable, and his arguments unanswerable—an assertion which it was fair to make, as the noble Lord was wholly unable to answer them. It was a happy circumstance, that no feelings of party or faction had mingled themselves with the present question: it had been discussed without any reference to political opinions; and that indeed should be its true character. But the noble Lord recommended the measure it proposed, by representing it to be merely an experiment, from which much good is to arise, and no possible harm. Upon what grounds this assertion was made, he was at a loss to discover; it was an assertion, however, which he knew to be contradicted by a great body of forcible evidence, and by a large number of witnesses, who formed a description of men highly useful and respectable, and whose characters, even in the noble Lord's opinion, stood unimpeached. What did they state? Why, that such an experiment must not only produce mischief, but that it would necessarily involve the ruin of their trade. Nor was it only injurious to individuals, but

it must prove also highly detrimental to the interests of the public ; as such, he was confident that no charter would be granted to sanction it. But the noble Lord had advanced an assertion of still greater importance. The country, he said, did not produce sufficient grain for the use of the inhabitants ; yet he hints that the present alarming scarcity does not so much arise from the deficiency which he confesses, as from a kind of combination. The measure then which he so strongly recommends, does not strike at the root of the evil ; but he would have the House only correct the aggravations that may attend it. In fact there was no connection between the proposed remedy and the evil to be removed. The corn-merchants were the persons principally injured, and this injury done them presented a timely importation of corn, which would have prevented what we now so much and so unavailingly lamented. Had these mills been already built, that case would be no better ; for there would not be more corn in the country. Where then was the remedy for the evil ? The real evil was the interference of Government ; and unless the House abstained from any such interference, and prevented Government from meddling in the purchase of corn, there would be reason to wish that every thing respecting corn should be erased from statutes. The unfortunate war gave rise to this meddling and tampering of Government with the article of corn ; for, in order to distress the enemy, they endeavoured to get the whole of the corn of Europe into their own hands. But a timely and economical importation was neglected, while Government were endeavouring to rival individuals, and to thwart their speculations. The conduct of Government towards corn-merchants in the year 1796 was a proof of what he asserted. By their exertions the price of bread and corn was then considerably reduced. They lost by their exertions : they applied for an indemnity, which was promised them ; but the pledge was violated, and the House rejected their claims. This surely was no encouragement for that meritorious class of men to make any new adventure to relieve a similar distress. Upon the subject of scarcity, no good could arise from Committees of Inquiry. Indeed it were to be wished that both the Legislature and the Government had their hands tied up upon this matter. There should be some plain permanent law for regulating the importation of corn, and no intermeddling of Government in the business. Advanced as the session now was, yet a law of that kind should be immediately introduced : that alone could relieve the distress, and remove the calamities which we now deplore. The remedy now proposed would have no such effect. The mills could not be built in less than two or three years : how

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then could they alleviate the present pressure? The noble Lord had next dwelt upon the advantages to be derived from these mills; a respectable body of men had adduced the strongest evidence against the probability of any such advantages. No doubt the noble Lord's intentions were very good: but good intentions were not sufficient to guide the proceedings of a Legislature: indeed all the mischiefs that grew out of politics arose from such good intentions, as they generally sprung from some system that was imagined to be perfect. There was nothing therefore so dangerous and bad as these good intentions. He would also acquit gentlemen, who were the warm partisans of this measure, from any interested views; but still he would press his notion, that it was not proper to vote on a business from which any of them were to derive a high profit. The noble Lord allowed that there existed no immoral or illegal combination; but he chose to call it a sort of understanding between the parties. The former charge could not be made without proofs to substantiate it; but it is left to lurk in an insinuation. This was certainly a deviation from that candour which prevailed throughout the other parts of the noble Lord's speech, and had a tendency to bring down the whole of the popular discontent and indignation on the heads of the bakers and millers. But the great object of the bill seemed, after all, to be, not so much to prevent combination, as to introduce to the palate of the people a species of bread, which, from prejudice or some other motive, they are known to dislike. This brown bread has not had a fair trial; but those new mills are to prepare it on a better plan, and then the poor of the metropolis will eat it. This idea was very objectionable; it was in vain to attempt to force the people to eat this brown bread: they will only eat it because you deprive them of any other market. But it was in vain to talk of force in such a matter: it was well known that the prejudice of the working people of the metropolis against such bread was invincible and unconquerable; it was useless to investigate the physical reasons of such a prejudice; but the fact was, that it could not be subdued. If such attempts were made to introduce substitutes for bread, the people would be forced to have recourse to new substitutes for labour, in idleness, theft, plunder, and rapine. In vain would you convert these enormous mills into a Colossal machine, or a gigantic mountebank, to cram this nauseating bread down their throats; this would be adding insult to oppression; and he trusted the House would maturely weigh the consequences of the measure before they gave it their final sanction, especially if they found that no reasons had been adduced to prove its necessity, while the strongest evidence had been brought forward to shew its disadvantages. No market in the world

was more punctually and plentifully supplied than the London market; and this was done under the present system by the present millers. The real cause of the evil was the deficiency of grain; and this would be had in plenty, if the corn merchants were fairly and liberally dealt by, and a permanent law introduced to regulate importation, unchecked and uncontrouled by Government. This was the only radical remedy, and it should have his determined support whenever it was proposed. To the experiment which the noble Lord was anxious to introduce, he was a decided enemy.

Lord HAWKESBURY in explanation said, that it never was his intention that any thing like force should be adopted to introduce the use of brown bread.

Mr. SHERIDAN and the MASTER OF THE ROLLS severally explained.

Sir W. PULTENEY contended, that the arguments upon which the noble Lord supported the bill were wholly without foundation. There existed a sufficient competition in the corn trade, and the means of keeping that competition alive. As to all idea of private understanding, and a sort of combination growing out of it, nothing was left credible: no such combination could be permanent or general. As to the use of brown bread, the present measure would have no effect in introducing it. Had the bakers the same profit on it as on the finer kind of bread, they would make it more generally—here an alteration might be made without danger: the other experiment was extremely dangerous. Besides, the very corporation which the bill went to institute, would establish that very monopoly against which gentlemen were inveighing. What, moreover, would be the time required before these mills could be completed? It would take more than three years before the machinery was ready; and in case the proprietors were losers the first ten years, could the project stop there? Surely not: the bill would therefore rather be a perpetual than a temporary bill; and as such he objected to it.

The question was then loudly called for, and the House divided, Ayes 48, Noes 44.

It was then moved, that after receiving the new clauses, the further consideration of the bill should be adjourned to Thursday next, to give time to the merchants of London to consider of a bill which was likely to be of such magnitude.

After a debate, a division took place—Ayes 44, Noes 50.

A number of clauses were then brought up by way of riders, which were read a first and second time, and several divisions took place upon them.

Mr. Alderman CURTIS moved a clause to oblige the Company to bring to market and expose to sale 500 sacks of flour weekly, so that the public should be secured in a regular supply of part of what they were to be permitted to manufacture; for it was a most extraordinary part of this incorporation, that though they were empowered to manufacture about 2300 sacks per week, they were not compelled to sell a single sack.

Lord HAWKESBURY and Mr. ROSE, and other members, objected to this clause, as it would be an inconvenience to the Company to be so restrained, as they might not find purchasers.

Mr. Alderman CURTIS said, that to object to this clause, was not the best proof of their sincerity as to the public benefit.

The motion, on a division, was negatived.

Lord HAWKESBURY moved a clause, that no manager or clerk should speculate on his own account. On a division, Ayes 46, Noes 27.

Mr. TIERNEY moved a clause which is usual in all modern bills, particularly in bills of a new and untried kind—That it might be altered, amended or repealed, in the course of the present session. This motion, he said, was particularly demanded by the circumstances of the present bill. It was hurried through the House in a most precipitate manner. It was a measure of the most extraordinary kind, and pregnant with the most dreadful consequences. A number of new clauses were introduced in the very last instance, upon which the petitioners had not been able to deliberate. They had been prevailed on to suffer the bill to go through all its stages to the last reading without obstruction, in the confidence that it would not be hurried through in one night. The principle had been carried by a majority of only four Members; and it was notorious, that there were a number of persons directly and personally interested in the object of the bill. Under these circumstances, it was surely the duty of the House to give themselves time for reflection, and not subject the country to all the evils with which this measure was pregnant.

Lord HAWKESBURY said, he thought the motion improper, as so little of the session now remained. The mills could not be built even before the commencement of the next session, when undoubtedly it was open to any Member to repeal it.

Mr. SHERIDAN said, that the very reason why it was proper to introduce the clause was, that it should be in the power of the House to repeal this monstrous bill before the mill should be built, and money laid out upon it. After that had taken place, a new argument might be drawn from the injury to individuals against its

repeal. They stood now in the most extraordinary predicament. A bill which trenched upon the known and undoubted prerogative of the Crown, in the granting of charters, was brought in at the very close of the session—not one of the Law Officers of the Crown gave it the sanction of his approbation—not one Minister of the Crown gave it his support, and every legal opinion in the House which had been pronounced was against it. It came also in the most questionable shape, from the number of persons interested in it, by which the character and dignity of the House were affected; and when it was considered, besides, that it was a bill which went directly to overthrow all the established course of commerce, to destroy the open competition in an article of the first necessity, and to substitute a monopoly in its room, they surely ought to give the merchants of London time to deliberate on a measure which would infallibly indispose them to import wheat, whatever might be the urgency of the public demand; for under such a monopoly as this, he contended, that no merchant could safely speculate for a single importation.

Dr. LAURENCE said, that the principle of the bill was, in every point of view, the most objectionable that he ever witnessed, and he was astonished at the pertinacity with which it was pursued by its promoters. Surely, if their motives were so clearly public, there would have been no hazard in postponing the further consideration to Thursday next; but as that was objected to, why deprive themselves of the means of correcting their intemperance on a future day?

Mr. BERNARD said, that though an enemy to the principle of the bill, which he thought, both in its own provisions and in its example, was most objectionable, yet the motion at so late a period of the session was not the right way to oppose it. It had still the other House to pass through; and before it could come back from thence, the period of the session might be arrived. His objection to the bill was, that it put an end to all open competition in flour and bread, and put these two trades into commission. Parliament appointed a set of commissioners to deal out flour and bread to the people. The principle trenched on all open commerce.

After some further debate, the House again divided, and the clause was rejected.

It was then moved, that the subscribers should only divide 5 per cent. instead of 10 per cent. on their shares.

A division took place on this also, and the motion was rejected.

Mr. SHERIDAN then called the attention of the House to a matter that materially concerned their honour, and the purity of

their proceedings. The principle of the bill, that is, the question of the third reading, had passed by a majority of *four* only ; and it seemed though persons were interested in the bill, yet as it was of a mixed nature, partly public, partly private, they might be allowed to vote—But where the question was solely a matter of profit as this was, he must call on Mr. Speaker to say, whether the voices of persons who were proprietors in the new charter could be allowed ? It was understood there were a number of members in the House who stood in that predicament.

Mr. SPEAKER said, that he understood it to be the rule which had governed the House in the case of the Loyalty Loan, that where a bill was partly of a public nature, and partly of benefit to themselves, they might vote on the principle ; but whenever the incidental point arose, in which their own interest lay, they could not, without indecorum, vote, nor would their voices, if questioned, be allowed. It was a delicate question ; and he lamented that there was not a precedent by which the House, in this instance, could be guided. The inclination of his mind was, that this was a point which came within the rule.

Mr. SHERIDAN then moved, that the voice of Mr. William Devaynes be disallowed.

Mr. DEVAYNES was called on to say, whether he was personally interested in the bill ? He said, his name stood as a subscriber, but he had not yet paid any money. He certainly, however, intended to subscribe. He was then directed to withdraw ; and a long conversation took place on the nature of the cases that did and did not entitle members to vote where they had a personal interest. Mr. ROSE, Lord HAWKESBURY, Mr. HAWKINS BROWNE, and others, contended, that this was not a question which, even in decorum, obliged them to withhold their votes. The Speaker was called up several times, and gave it clearly as his opinion, that it was a case which would govern his mind if he had to vote, and that it must be left to the decision of the House whether the votes should be allowed.

Mr. TIERNEY said, the question was, simply, whether a member was interested in a vote by which he was to give himself 10 per cent. instead of 5, on a share which was transferable, and by which vote the share was to be increased in value, and might be sold the next day for more money ? It was not here the minuteness of the interest, but the principle, which made the question. The question was, whether a number of members of Parliament should grant to themselves, out of the course which the Constitution had pointed out as the best means for securing the public against jobs, a

charter which was to have an eventful benefit to themselves? On such a question, to say that their voting for 10 instead of 5 per cent. was not the indecorum which the rule of the House had guarded against, was to compromise the character and the dignity of Parliament.

Mr. PERCIVAL was clearly of opinion that the whole bill was a private commercial matter, violating indeed all former commercial principles; and there was nothing public in it but impossibility. The private interest was the first obvious view of the member when he voted for 10 per cent. instead of 5, and therefore his vote ought to be disallowed.

Mr. SPEAKER expressed his ideas to be the same on the subject.

After some further debate, the question was called, and the voice of Mr. Devaynes was disallowed.

Mr. TIERNEY then moved, That the voice of Sir John Call be disallowed.

Sir JOHN owned himself to be a proprietor, and, having retired, his vote was struck out from the division.

Mr. TIERNEY then moved, That the voice of Mr. John Frere be disallowed.

Mr. Frere withdrew, and his voice was disallowed.

The next name objected to was that of Sir Robert Preston. Sir Robert had gone away as soon as this discussion of eligibility commenced.

Mr. SPEAKER said, they could not decide on the question without hearing what he had to say: a long discussion took place on what course they should follow. Could they proceed to pass a bill upon which a person had voted who was disqualified by his interest in the case? It was finally got rid of by moving that he should attend in his place on Monday; which was agreed to.

Lord HAWKESBURY then moved, That the bill do pass.

Dr. LAURENCE objected to the motion. It would be a most indecent and a most unparliamentary proceeding. Three voices were already disallowed. Another stood impeached. The question of the third reading had been carried only by *four*, and these gentlemen formed part of the division. He had very serious doubts in his own mind on the propriety of their voting on the principle: it was a private bill, not a public measure. The public benefit was professed indeed, but that was highly problematical. The whole conduct of the promoters of the bill was most extraordinary. There had been a compromise by which the House was defrauded of its forms: they had followed the French practice of passing the bill

upon urgency; and it was in vain for them to strive to raise a distinction between the right of not voting on a clause, and the right of voting on the principle. These four persons had no right to vote for granting to themselves 10 per cent. instead of 5; and yet they were entitled to vote for the third reading of the bill, granting to themselves this very 10 per cent. ! This was not for the honour of Parliament, nor for the respect which the people ought to have for their proceedings.

Mr. SHERIDAN said, it was perfectly understood that several other members were proprietors of this charter, and they must feel conscious that they then stood within the scope of the disallowance. Their names would soon be known; and he hoped therefore that they would now frankly come forward and avow it. The measure was really of a most questionable shape. They had resisted every thing which tended to take off its suspicious character. If they wanted to make an experiment, he was authorised by gentlemen who then heard him, to say, that they should have water corn mills capable of grinding 3000 sacks of flour per week, all situated near London. If they meant the public good only, why not accept of an offer that would enable them to commence immediately, instead of putting off the intended good for a year and an half, or two years?

Mr. ROSE said, he supposed he was one of the persons to whom the honourable gentleman alluded. His name undoubtedly stood in the list of intended proprietors; but two hours ago, as soon as the discussion of ineligibility began, he had decided to withdraw his name; and he referred to those around him whether he had not said so.

Mr. ROSE, junior, bore testimony to the fact; and said, that his name stood also in the list; but he had resolved to withdraw it.

Mr. PLUMER desired to know, whether the name of Mr. Bidulph did not stand in the bill as one of the persons to whom the charter was to be granted? Now he had also voted: but to qualify himself to vote, he had declared that he would resign his share. Must not his name be withdrawn from the bill?

Mr. SPEAKER said, his name could not be withdrawn, as they had passed that part of the proceeding.

Mr. SHERIDAN said, that in that case they were to send the bill to the House of Lords with a known fallacy in it. In truth, the whole proceeding was so irregular and so unbecoming, that he trusted the House would yet pause; and for that purpose he moved to adjourn.

The House divided—Ayes 7, Noes 35.

The motion was then put, That the bill do pass; which was agreed to, and Lord Hawkesbury was named to carry it up to the House of Lords.

Tuesday, July 8.

Mr. JONES said, that he rose, agreeably to a notice he gave on Friday last, to move for a copy or copies of "the instructions given to the Commander in Chief of His Majesty's fleet in the Mediterranean, for breaking the convention entered into between Sir Sidney Smith and the French General, and the Commander of the Ottoman army, for the evacuation of Egypt." This was a matter of considerable importance; and, as such, it was not his wish to take the House by surprise. When he made the motion for those instructions, he was informed of their importance; and on the suggestion of the Chancellor of the Exchequer and his honourable friend Mr. Robson, he was satisfied to postpone it to this day. In setting out, he felt himself called upon to state, and to declare, that there was no man more readily disposed than he was, to do justice to the talents and abilities of Admiral Lord Keith; and he was happy to say, that he felt so in common with others. He was called upon to pay him this tribute of applause; and he paid it the more gratefully, as he never thought that great man's merits fully compensated. On the subject of the motion he was now to make, he could not but consider the convention made by Sir Sidney Smith, a grand act of diplomacy, such as discovered an active and penetrating mind, and such as might have led, if faithfully followed up, to important consequences. He had read three different newspaper accounts of a letter sent from Lord Keith in the Mediterranean, to the Commander in Chief of the French army, stating that he (Lord Keith) was to inform the French General (Kleber), that instructions were sent to him, to accept from the French General in Egypt no capitulation, unless the French army under him would lay down their arms, and surrender themselves prisoners of war, or nothing less than a full capitulation. This was the only document of which he was in possession; and such as, should His Majesty's Ministers be not inclined to avow, he thought might justify him in calling for others that may lead to this breach of alliance with the Porte, and to a fuller inquiry into the disastrous event which happened in Egypt, and which had given to the French forces an ascendancy in that country. When possessed of those papers, he might have more ample grounds for proceeding further; but at present he would only move, "That an humble address be presented to His Majesty, praying that His Majesty would be pleased to give directions that

there should be laid before the House a copy, or copies, of the instructions given to the Commander in Chief of His Majesty's fleet in the Mediterranean, &c. on the evacuation of Egypt."

Mr. DUNDAS said, that he should not have occasion to occupy much of the time of the House in correcting the mistake into which the honourable gentleman who had just sat down had fallen with respect to the subject of his motion. In giving notice of the motion, he seemed to proceed on the supposition that an infringement had taken place in a convention actually entered into for the evacuation of Egypt, between this country, the Ottoman Porte, and the Commander of the French army. But the fact was, that no such convention had been concluded, and therefore no infraction of it could be charged to this country. So far, indeed, were the British Government from committing an act of such perfidy as they must have committed were this supposition founded in truth, that they had shewn what he must call a superabundance of attention to the execution of a treaty to which they were not a party; and their subsequent sanction of which was to be attributed solely to anxious jealousy of avoiding every thing that could, by the most forced interpretation, throw any stigma on the sincerity of British faith. The expedition to Egypt was justly represented by the honourable gentleman as a subject of serious alarm to this country. It might have led, and such appeared to be one of its objects, to the overthrow of the Ottoman Empire, and it might have hazarded the safety of the most valuable of our foreign dominions. In this light it was viewed by the Government of this country; and the best proof of their having so regarded it, was the alertness with which they exerted themselves to render abortive that vast undertaking. This object was happily accomplished by the valour and skill of Lord Nelson; for every one must admit that his victory gave a fatal blow to the French armament. Cut off from all means of receiving supplies or reinforcements, the army of Egypt was reduced to a situation of the utmost distress. Under these circumstances, it was undoubtedly desirable, that they should not effect their escape home at a moment when, partly from the effects of the climate, and partly from hostile operation, their condition appeared to be irretrievable. Neither was it for the interest of the Porte that they should thus escape, considering the unprovoked aggression which they had made upon her territories, in violation of every principle of the law of nations, and in contempt of existing treaties between France and that country. With these sentiments, therefore, the moment Government received intelligence that a treaty was negotiating between the French and Ottoman Generals, they dispatched instructions to

the British Commander, containing the only terms on which he was authorised to accede to it. They consider that, to allow the French to remove with all the vessels lying in the port of Alexandria, and to go whithersoever they pleased, were terms to which neither their conduct, nor their situation at the time, entitled them. The Ottoman Porte probably wished to get rid of them on any terms. But the British Government had to take a more extensive view of the measure. They had to consider what became us, not only as the ally of the Ottoman Porte, but as the ally of all the other powers engaged in the same contest, who had a strong collateral interest in the terms of the treaty. It was their interest, as well as ours, that the French army should not be landed on the shores of Europe as a hostile army; and he would repeat, that it was not for the advantage of the Porte herself, that they should embark without any restraint to their subsequent conduct. The invasion of Egypt had been a favourite object with the French for nearly a century past; and it was for the interest of the Turkish Empire, that they should not consider the conquest of that country as an object which they might at any time undertake with ease—trusting to the weakness of that empire for ultimately effecting their purpose, or, if unsuccessful in the attempt, for the power of relinquishing it upon whatever terms they themselves chose to prescribe. It was undoubtedly the interest of that nation, as well as of Great Britain, that the French should not continue in Egypt; and under this impression, the Government transmitted to Lord Keith the terms on which they would consent to its evacuation; and it was to be supposed that his Lordship would have communicated them to the French and Ottoman Generals. They were written, however, at a time when no convention had been entered into, and it was imagined they could have arrived before any should have been concluded. It was foreign to the question now before the House to examine who was to blame, as to the immediate resumption of hostilities. It appeared, that the Ottoman General wished to prolong the armistice until the consent of this country should have been obtained to the treaty he had entered into. To this the French General objected, and six hours after he commenced an attack on the Ottoman army. But, however this question was to be decided, it was one in which the character of the British Government was not implicated. If, as was alleged by General Kleber, the Turkish army was impatient to obtain possession of Cairo, and he was obliged to repel the attempt by force, it was an affair with which we had nothing to do; and still less was our honour involved, if, as alleged on the other side, it was true that the French General had

made a sudden attack, at the moment when a negotiation was carrying on. He wished that the French army should surrender themselves prisoners of war; and that they should not have the benefit of a treaty which, if a favourable moment occurred, they might break with as little scruple as they had broken the agreement entered into with respect to the seamen taken at Aboukir. These seamen, it was solemnly stipulated, were not to serve against England or her allies until regularly exchanged; but they were no sooner landed than they were incorporated with the French army, and employed in extending their conquests in Egypt. It was our duty to prevent the repetition of so shameful a breach of faith, and to take care that our ally should not fall into a similar snare. As to the disasters which had befallen our ally, he would certainly admit that a great slaughter had been made among the Ottoman troops; but he had good reason to believe that the enemy had sustained a proportionate loss. The fact, indeed, according to very recent intelligence, was, that the enemy had suffered to such an extent, as to induce their General to propose the renewal of the treaty. So far as the conduct of Sir Sidney Smith was concerned, he would say, that he conceived he acted from the purest and best of motives, for the good of his country; but he must also say, that he had not the smallest authority for entering into any communications with the French General; so that, even were the Government to refuse their sanction to a treaty so concluded, they would be strictly justified by the law of nations. The Government, however, adopted a different line of conduct. The moment it appeared that a British officer had a share in it, though unauthorized, and though the treaty was contrary to the interests of this country, and the French had partly carried it into execution, that moment they gave orders to acquiesce in it; and it was highly probable that, by this time, the very treaty which they had disapproved of, was in a train of being executed, from a punctilious attention, that no treaty in which a British officer was concerned should suffer any infringement. From what he had now said, the honourable gentleman must see, that the production of the instructions which he had moved for, without a variety of other papers, would not afford any farther information than the House were already in possession of; and to produce, at the present moment, all these papers, consisting of communications with different officers, and our Ambassadors at the Porte and the Austrian Court, and involving interests of an important and complicated nature, would be attended with the most mischievous consequences.

Mr. ROBSON said, that the whole question seemed to turn upon this, whether the paper he held in his hands (supposed to be a copy of the treaty between Sir Sidney Smith, the Porte, and France) was sufficient to bind this country or not? if not, we were at war, he said, with our allies. If the right honourable Secretary (Mr. Dundas) admitted this treaty, they could come to a conclusion on the question. Sir Sidney Smith was a British officer of consideration; and there is no reason to believe that he would conclude such a treaty unadvisedly. He readily admitted, that there was a considerable difficulty in getting the French out of Egypt; and the Turks knew that too well, not to set a high value upon their departure. The fact was this: the treaty was made, broken when convenient, and our alliance not rightly understood, or, if understood, not much regarded. But it was of a piece with that wise and dignified answer to Bonaparte;—that answer which had made him the pacificator of Europe, instead of him whom his honourable friend had formerly proposed, His Majesty. This breach of treaty was not unlike that which happened before in Italy; a fort would not surrender to the arms of the King of Naples, but would surrender to a British force; on surrendering, they were all murdered by the Neapolitans.

Mr. NICHOLLS observed, that we now knew the facts of the case. His Majesty's Ministers, in contemplation that a treaty might be concluded between the Turks and French, sent out orders to their Admiral not to observe that treaty. This practice, he contended, was not consonant to the law of nations; and he put the case, if during the American war Lord Cornwallis's army had surrendered to the Americans alone, under stipulation that they should be allowed to return to Europe, and in this return had been interrupted by the French, would not that conduct have been a violation of the law of nations on the part of France, their allies? and yet that was exactly the present case. But, even admitting that it was no breach of the law of nations, and looking only at the policy of the measure, what had been the consequence? The Turks had not recovered Egypt, and it was probable would not during the war.—True it was, the original orders were countermanded, but that countermand went too late.

Mr. WILBERFORCE said, that in deciding upon the policy of the conduct of the British Government on this occasion, it was not very candid to be governed entirely by the events; for his own part, he did not feel himself warranted in forming his judgment upon such a basis. The honourable gentleman appeared to him (considering how long he had lived in the world) to have been very

hasty in making up his mind upon the subject ; for undoubtedly there were many circumstances which it was impossible he should be acquainted with, but which it was necessary to know before a correct judgment could be formed. The facts upon which the honourable gentleman grounded his motion, all happened after Government had committed the act for which he now censured them ; but the whole foundation upon which he rested had been taken away by what had fallen from the right honourable gentleman who replied to him. It did appear very strange to him, that the British Government should have been guilty of an infraction of a treaty ; and he confessed he was not much inclined to give credit to it : but the answer of the right honourable gentleman had removed every doubt that could possibly exist upon the subject ; and he had no doubt that the honourable gentleman himself who made the motion would be candid enough to confess himself satisfied, and to withdraw it. It was clear beyond the possibility of contradiction, that the orders sent to Lord Keith were previous to the sanctioning of the treaty by Sir Sidney Smith ; but as soon as the Government of England knew that one of its officers had sanctioned the treaty, even though by so doing he had exceeded his power, they, with the greatest honour and good faith, agreed to its execution. The English Government undoubtedly acted wisely, because it was better to sacrifice partial interests, than to violate those great principles which ought always to be held inviolable among nations. It was upon these motives that the British Ministers had acted ; and they were, in his opinion, entitled to the highest praise, instead of deserving the censure now proposed. There was not the least pretence for maintaining this motion upon the first ground which had been advanced, viz. that it was an infraction of a treaty ; and as to the other ground, viz. that Government had acted in an impolitic manner, he did not think the House would be qualified to decide upon it, even if they had the papers which were now moved for. To enable gentlemen to judge fairly upon this subject, they ought to be in possession of all that Government knew of the state of the French in Egypt and in Europe ; they ought to know the state of the Turkish forces, and their finances ; they must know the state of our forces ; they ought to know many things which it was obvious could not be communicated. In every point of view, therefore, in which this subject could be considered, there was not the least foundation for the motion. With respect to the first charge, viz. the infraction of the treaty, that had been so fully answered, that it seemed to be almost given up ; indeed it was impossible there could be a difference of opinion upon the subject ; and as to the second part of the question, viz. whether Government

acted with policy or not, it could be no reason for acceding to this motion, because the papers, if granted, would not be sufficient to enable the House to decide upon the subject.

Mr. YORKE said, that after what had fallen from the honourable gentleman who spoke last, and the right honourable Secretary, it was unnecessary for him to trespass upon the House; but he would merely make one observation with respect to dates.—The honourable gentlemen who had spoken on the other side of the House seemed to have completely mistaken one fact: they seemed to think that it was after the conclusion of the treaty of El Arisch that Government sent the orders in question to Lord Keith. This was by no means the fact, as would appear by comparison of dates. The Government of England knew, from the intercepted letters, that it was the intention of the French to deceive the Turks by a shew of negotiation; in consequence of which, orders were sent to our Commander in the Mediterranean to counteract their efforts. In this surely it could not be contended that Government had not acted properly and wisely. Nobody could entertain a higher opinion of Sir Sidney Smith than he did; and though he was convinced that officer acted for the best, still he did not approve of his conduct upon this occasion. He would put a case:—suppose an officer should, in such a situation, act from motives of private interest, and pledge his country to a treaty, it would not surely be contended that the country would be bound by such a treaty. He merely put this as a possible case, without the most remote allusion to the officer in question, who had upon so many occasions honourably distinguished himself in the service of his country, and who, he was sure, upon this occasion, as upon every other, acted upon the best and purest motives.

Mr. ROBSON explained.

Mr. HOBHOUSE admitted, that the facts stated by the honourable gentleman who spoke last were correct, and that there was no ground for charging the Government with an infraction of the treaty. There was one point, however, upon which he wished to have a little more correct information; and that was, why it was necessary to send out these orders, and whether they were sent out to contradict orders of a different tendency previously given? It was obvious from some of the articles of the treaty, that the Turks were of opinion that the English were parties to the treaty; and this appeared to him a point upon which some explanation was necessary. However, as the question stood now, he did not think there was any foundation for it, and therefore should recommend to his honourable friend to withdraw it.

Sir WM. PULTENEY was clearly of opinion that there was no pretence for charging the English Government with an infraction of the treaty ; but there were some points which, in his opinion, required explanation.—He wished to know, whether, in cases of alliances, it was usual for one party hearing of one of its allies being about to make a treaty, not to remonstrate with the State so going to make a treaty, but communicate in the first instance directly with the enemy ? Instead of informing General Kleber that they would not consent to the negotiation, he should have thought that the regular way would have been to communicate with the Turkish Government.

Mr. Chancellor PITT said, that the honourable Baronet had taken for granted the very reverse of what was the fact. The honourable Baronet had assumed, as the foundation of his question, that no notice of the intention of the British Government had been communicated to the Turks. The fact was, that at the very time the orders were sent to Lord Keith, similar information was sent to Lord Elgin, His Majesty's Minister at Constantinople, who was of course the proper person to communicate our intention to the Turkish Government. And as to the direct communication which had been made to the enemy, it was a proof not only of the good faith, but of the scrupulous delicacy with which the British Government had acted. It shewed, that even if an event had taken place by which we could not be bound, we would not avail ourselves of it, without giving the enemy the earliest warning of our intentions.—There was as little difficulty in answering the question proposed by the honourable gentleman (Mr. Hobhouse) as there was in solving the doubts of the honourable Baronet. The honourable gentleman seemed to suppose, that it was necessary to send out the orders in question to Lord Keith, in consequence of instructions of a contrary nature, having been previously sent to the noble Admiral. He could assure that honourable gentleman, that until it was known that an application had been made on the part of the French for a negotiation, no authority had been given ; and as soon as it was known, the British Government took the earliest opportunity of expressing its determination on the subject. The answers which had been given to this motion were so full, that it was almost unnecessary for him to trespass longer upon the House. As to the infraction of the treaty, it was now given up ; and with respect to the question of policy, the House certainly could not attempt to decide upon it without being in possession of information which it was obvious could not now be given. But upon these facts, which were obvious to all the world, the conduct of the British Government was com-

pletely justified, (unless the House acted upon the narrow principle of judging by subsequent events) ; for it must be obvious to every man of observation, that there was no other spot in which, under all the circumstances of the case, so many thousand French troops could act with so little danger to the common cause. With respect to the convention entered into by the officer alluded to, most undoubtedly, in point of strictness, the English Government was not bound by it—But as soon as Ministers were apprised that the French had acted upon it, they gave it their sanction. It would be a most dangerous and destructive principle, if it was considered as a matter of course, that when an officer without authority pledged his Government, it was to be binding. Undoubtedly, the slightest imputation could not be thrown upon so eminent and distinguished an officer as Sir Sidney Smith, even though it might be thought that the balance of circumstances might have led to a different conclusion from that which he had formed. Yet such was the high estimation in which he held the judgment of that officer, that he was inclined to be diffident of his own opinions when they differed. But whether in this instance he had acted right or wrong, there could not be the slightest doubt that he had acted from those patriotic motives which must always actuate one of the most animated minds, and one of the most illustrious champions of his country's glory. He felt himself happy in taking this opportunity of paying what he considered a just tribute to that gallant officer.

Mr. JONES said, that the business ought to be probed to the bottom ; and with this view he would take an early opportunity of moving for the whole of the papers relative to it. But, in consequence of the recommendation of his honourable friend (Mr. Hobhouse), and what had fallen from gentlemen on the other side, he would now move for leave to withdraw his present motion.

Mr. TIERNEY begged leave to state, that he was not satisfied with the explanations which had been given ; but he would reserve the expression of his sentiments until his honourable friend should bring forward the motion of which he had now given notice.

The motion was then withdrawn.

The MASTER OF THE ROLLS moved the order of the day for the third reading of the bill to prevent accumulation of property by testamentary devises.

Mr. BUXTON said, he must renew his opposition to this bill. He was afraid that it would tend to produce many inconveniences both to the public and to individuals. He thought the evil very unlikely against which the bill was intended to provide, that a person should keep up a property so large as to be in any degree dan-

gerous to the State. No man could continue to accumulate such a fortune, without being callous to all the natural feelings which bind man to man, and without being actuated by a wild ambition, fruitless and absurd. The law at present wisely allowed people to enjoy a great dominion over their property—this tended to attach them to their country and its constitution; but if this power were curtailed, such attachment would be proportionably weakened. This power persons possessed over their property was a stimulus to industry; and even supposing the motive that led to accumulation of property to be weak and foolish, yet if it did no injury to the State, it ought not to be discouraged. He also saw various inconveniencies resulting from the operation of the present bill—such as had been particularly noticed by him in a former stage of discussion; and after recapitulating these, he said he must object to the passing of a bill of such importance, in so thin a House, and at so late a period of the session.

The MASTER OF THE ROLLS agreed so far with the honourable gentleman, that he did not wish the bill to pass in so thin a House; at the same time he must observe, that the bill had been well considered, and had not been pressed through either House with precipitation: it had been submitted to every learned Judge, and had been proposed with a view to correct existing abuses, and the extent of the abuse of the power existing in testators. From a late decision, it was evident that the existing law on the subject required amendment; added to which, there was ground to believe, that, in consequence of that decision, the example referred to was expected to be followed by others for the purpose of gratifying their inordinate vanity, and would prove detrimental to the interest of the State.

Colonel ELFORD said, he wished the bill to be postponed to the next session. The evils that might possibly arise, were not such as called for an immediate decision.

The motion for the third reading of the bill now was then negatived, and, after some conversation, it was agreed that the bill be read a third time on Monday next.

HOUSE OF LORDS.

Wednesday, July 9.

The royal assent was given, by commission, to 35 public and private bills; among the former were—the Vellum and Parchment Duty Bill—the Scots Distilleries Duty—the Land-tax Commissioners—the Perfumery Duties Repeal—the Waste Paper—the

Militia Subaltern Allowance—West-India Governors Indemnity—the Army Bread Supply—the Bread Affize—the London Small Debts—and the Collieries Regulation bills.

The Lords Commissioners on this occasion were, the LORD CHANCELLOR, the Duke of ROXBURGH, and the Marquis of SALISBURY.

The Duke of BEDFORD moved that there be laid before the House a list of the subscribers, and sundry other documents relative to the bill for the establishment of a company for the manufacture of flour, bread, &c. ; all which were ordered.

The Duke of BEDFORD next called the attention of their Lordships to the resolutions respecting inclosure bills, the farther consideration of which had been postponed. This, he observed, had been partly done in consequence of their not having the report of the Committee of Waste Lands earlier up from the Commons; and though the particulars of the evidence given before that Committee had not yet been brought up, still, under the circumstances of the case, and in consideration of what had fallen from the noble and learned Lord on the subject on a former evening, to which he had since most attentively turned his mind, he deemed it proper to come forward then; and, with certain slight amendments, which he thought calculated to obviate the most pointed objections, he would press the adoption of the resolution. His Grace then expatiated on the propriety of the Legislature speedily taking some steps therein; commented, in detail, on what had fallen from a learned Lord on the woollack, and particularly adverted to the circumstance of the penalties of perjury not attaching to those who made false affidavits under the regulations in question. That was a circumstance much to be lamented. However, the deficiency, he observed, might easily be remedied by a future legislative measure; and in the report of the Committee something of that nature was suggested. With respect to a general act, his Grace seemed to agree in what had fallen from the noble and learned Lord in regard to the effect of the general highway act. However, on that he did not lay much stress, as resolutions seriously agreed to, and thoroughly understood by both Houses, he thought, would have the desired effect; and, in that view, he should recommend the adoption of those upon the table. His Grace concluded by proposing some amendments to the first and last resolution; which passed *sub silentio*. The resolutions, so amended, were agreed to, and a message ordered to be sent to the Commons, acquainting them that their Lordships had agreed to such resolutions.

The Bishop of ROCHESTER requested the attention of their Lordships to a very few but important observations, which he should offer previous to the order of the day being entered upon. He said, the subject he should advert to, was one which had engaged much of the public attention, and was on that ground alone not unworthy the consideration of that House. It was rumoured abroad, he understood, that the adultery bill, which not long since passed that House, had been rejected by the Commons without its contents being investigated, or even sent to a Committee. On this report he should make no comment, but observe, that with their Lordships the bill experienced no such treatment; nothing of such a tendency had been suggested even by the opposers of the bill; all of them joined the supporters of the measure in reprobating the crime of adultery, and in deeming it deserving punishment. Had it been ultimately rejected in that House, the circumstance of the bill's passing through its regular stages, together with the nature of the debates upon it, would have prevented its going abroad, that the House of Lords thought that adultery was a thing which ought not to be punished or prevented; such conclusions could not possibly be drawn. With respect to the general subject, he observed, that although for the present session the object of the supporters of the bill was out of their reach, yet he thought it proper, for the consolation of the public, with regard to the general interests of morality and the honour of the Legislature, to declare, however in the present instance the bill was lost, its advocates would not suffer the matter to rest. What specific measures were intended to be proposed he should not say; but something certainly should be done by the supporters of the bill to the same general effect. With respect to one prominent feature of the bill, that which went to restrain the marriage of the adultress, the House had already much in its power, which it would do well to exert with a reference to the conservation of public morals, and in which view he thought the public should be loudly told, that with respect to future petitions for divorce bills in that House, the strictest scrutiny should obtain, and the merits of each individual case should be rigidly investigated; and he hoped that the counsel for the petitioners would be given to understand, that henceforth their Lordships would expect from them the most substantial proof. He was afraid that hitherto the House had been rather too easy in such cases; there had been instances where the petitioners, conscious of the injustice of their case, had declined appearing at the bar. There were other instances within his own recollection, in which counsel having gone through what they thought adequate proof of their cases, and being asked what further evi-

dence they had to adduce, expressed their surprise at such questions, saying, it was all they thought they were expected to produce at that bar—that farther particulars might shock the delicacy of their Lordships, and that amply detailed proof had been exhibited in the ecclesiastical and other inferior courts. He hoped another line of conduct would be exacted from these gentlemen in future. With respect to the proof offered in the ecclesiastical courts, and duly laid before that House, it was merely to shew that grounds existed for entertaining a bill, and no more;—it was not for their Lordships to decide upon any other than evidence offered at their own bar. He deemed it proper to throw out these observations, to let all concerned understand that those things were in future likely to undergo a severe scrutiny, and, as far as possible, to prevent any petitioner from approaching that bar, but those perfectly pure from the imputation of collusion, or other unjustifiable circumstances.

Lord HOLLAND rose, in pursuance of the intimation that he had given on a former evening, to move for the production of what he considered as an important document. The late unfortunate events in Egypt were, he said, of public notoriety; and it was equally notorious that to the instructions sent out to the commander of the Mediterranean fleet, (upon either an officer or an individual he meant not the least censure,) were to be attributed the great slaughter of our allies, and the possession of Egypt being still with the French. He was aware that it might be objected to him, that no breach of convention could be attributed to the commander of the fleet in question: that, however, made no part of his consideration, he only asked for information on the subject; but would observe, that it was evident that whenever peace should be concluded with France, if ever that invaluable blessing was to be obtained, Egypt's remaining in the possession of the latter country would be the mere consequence of these instructions. If orders to the effect which was generally understood were transmitted, upon what possible grounds of policy or prudence could they have been dictated, that had not the knowledge of the relative situations of the contending powers in Egypt for its guide? Could it be urged on the part of Ministers, that they possessed more local or immediate knowledge of the circumstances in question than did Sir Sidney Smith? He conceived it difficult, indeed, for Ministers to avoid a great weight of responsibility on this occasion, and concluded by moving an address to His Majesty, praying, "That there may be laid before this House, copies of the instructions sent out to the commander of the Mediterranean fleet, relative to the evacuation of Egypt by the French army."

Lord GRENVILLE expressed his satisfaction that he was not called upon to justify a breach of faith, as the noble Lord himself seemed to admit that no breach of faith existed in the case. The motion, however, was for the production of a paper which, he must contend, even had he no objection to offer to its publicity, would, according to the tendency of the noble Lord's argument, be sufficient to ground any subsequent proceeding of the House upon. The case in question referred to two points, and was to be considered partly with regard to subsequent events, and partly with respect to the information possessed by His Majesty's Government. He did not conceive how the papers moved for related to either of those, nor consequently how they could lead to the conclusion the noble Lord wished to draw. Before their Lordships could agree to such a motion, they should be prepared to say they would follow it up while the matter was yet pending or in a train of negotiation, and call for the particulars of what passed ; or to have laid before them a conjectural account of the relative state of the contending powers in that quarter, or of the means of offence and defence possessed by each. If those were not intended, then the motion would be at least nugatory ; therefore, if such a one was put, he held it his duty to give it a decided negative, as one improper to be made, as, if agreed to, leading to points which it would be most dangerous to disclose.

Lord HOLLAND in reply contended, that it was competent to any Member of Parliament to move for the production of any papers without the least reference to the conduct or feelings of others, when he thought such production would tend to the public good. In the present case, he said, it rested with Ministers to prove, that the publicity of the paper would be detrimental to the public service ; if nugatory, as the noble Lord contended, that would appear on the face of it ; and with respect to subsequent events, which Ministers disclaimed all responsibility for, an inquiry would evince whether or not these were in consequence of a breach of the convention. It was a new position that in parliamentary proceedings any particular step was to be resisted, or paper refused, unless they were prepared to go all lengths : that he must pointedly deny ; for, if admitted, the House would give up almost wholly that constitutional principle of jealousy with which it should uniformly regard the conduct of Ministers. He differed with the noble Lord in every position he had advanced, and thought the production of the paper would, even on the principle held out by Ministers, be attended with national advantage. He should therefore persist in

his motion, but not trouble their Lordships by taking the sense of the House upon it.

The order of the day, on which the Lords were summoned, being now read,

Lord HOLLAND rose to make his promised motion relative to the prorogation of Parliament. He observed, that however widely he had differed from those who had in the beginning of the present year ransacked dictionaries to find out terms of reproach against the person who was at the head of affairs in France; yet, differing in opinion as he then did from His Majesty's Ministers, he could not with indifference behold one man, and that man one of the first military geniuses in the world, in the possession of greater power than any man ever possessed in Europe since the days of Charlemagne. He believed that there was not a noble Lord in that House, that there was even one of His Majesty's Ministers, who did not repent of the answer which had been made to the overtures that had lately come from France. The conduct of Ministers in rejecting those overtures was not near so censurable as the manner in which they were rejected. A most reproachful, galling and irritating answer was sent, which could have no other effect than that of promoting the views of Bonaparte in the fullest extent. What end could it have answered to have desired Bonaparte to give up the power he had usurped, and restore the monarchy of France, the most inveterate enemy that ever Great Britain had? to restore that line of princes "who had maintained the country in peace at home and respectability abroad." Let noble Lords only see how this respectability was maintained by the illustrious descendant of the House of Bourbon who now filled the throne of Spain, and by the King of Naples. But what were the consequences of this most injudicious answer? It enabled Bonaparte to raise an immense army, by which he had made himself master of the most important part of Italy, and completely destroyed the hopes, which might otherwise have been justly formed, of gaining a majority of the people of France to favour the views of the allies. When this subject was discussed on a former occasion, it was argued, that Bonaparte was not sincere; and this was the point chiefly dwelt on. If Ministers really thought at that time that he was insincere was it not their duty to expose his insincerity to the whole world? and how was that to be done, but by listening to his overtures? Very different, indeed, was this conduct from what had been pursued by Ministers at the time of the negotiations at Lisle, after which His Majesty declared he would be always ready to meet any disposition on the part of the enemy to negotiate at any

future period. This opportunity presented itself, and was rejected with scorn. This conduct was only to be accounted for by the temper of those who were the advisers of His Majesty, in whose character the most distinguished feature was that of being depressed at every reverse of good fortune, and elevated to an unwarrantable pitch at every circumstance that turned out favourably. In those men, however, who had acted thus rashly and injudiciously, Parliament had placed a blind and stupid confidence, which he contended ought to be withdrawn. It was impossible that such men could ever negotiate for peace with an enemy whom they had provoked and irritated by the foulest abuse. It was time for Parliament to place its confidence in other men. He perceived that some noble Lords smiled at this observation; what was he to infer from this, but that of its being an expression of astonishment that he should mention such a thing. Did the noble Secretary of State, who used to speak in such high tones in praise of the Constitution, mean to insinuate that Parliament had not a right to withdraw its confidence from the Ministers of the Crown, and recommend other persons to fill their places? He believed, if such a doctrine was ever attempted to be maintained, there would be an end of all the best parts of the Constitution, and of the Constitution itself. It was absolutely necessary, that, during the important events now transacting on the Continent, the Parliament should continue sitting, in order to give such advice to His Majesty, and make such inquiries, as the course of events should render necessary. He was aware that this would be objected to, on the ground of its interfering with the prerogative of the Crown: but such interference was perfectly conformable to the practice of the Constitution. It might also be objected to, on the ground of the personal inconvenience it would cause to many noble Lords; but he was sure that every noble Lord who should think a measure of this kind necessary, would cheerfully make those sacrifices which the interest of his country might call for; and he assured the House, that nobody would do so more readily, though with more inconvenience, than himself. He thought it necessary that Parliament should continue sitting, not only to be at its post during the present alarming crisis, but in order to enter into an inquiry concerning the conduct of Ministers, who had been unsuccessful in all their military operations against the enemy, who had been still more unsuccessful with regard to the hopes which they taught the public to entertain from the co-operation of our allies, and who had made such erroneous calculations as to their strength. He knew very well; that no human knowledge could foresee future events, so as to tell positively what

must happen. He did not find fault with Ministers for not foreseeing the events of the campaign; but for the very reverse—for having pretended to foresee that the campaign would be favourable. Upon all these grounds he conceived that an inquiry into their conduct was absolutely necessary, and that, in order that Parliament should have an opportunity of instituting it, it ought to continue sitting. He should therefore move, “That an humble address be presented to His Majesty, praying that His Majesty will be graciously pleased not to prorogue the Parliament in the present awful situation of the country.”

Lord GRENVILLE said, that a considerable part of what the noble Lord had argued with so much warmth, might readily be conceded; that it was the province of Parliament to watch over the conduct of Ministers, and to offer such advice to His Majesty as circumstances might call for, and even to address His Majesty for their removal if they saw fit; but if his Lordship meant that it was the province of Parliament to inspect, direct, and controul the operation of war, he would not say merely that it was more advisable that the immediate servants of His Majesty should undertake this with the responsibility attached to their situation; but he must assert, that it would be far better that any five men in either House should undertake this, than that such deliberations should be directly carried on in Parliament, constituted in the manner that the two Houses were. The noble Lord had complained of what he styled the miserable system of confidence given to His Majesty's Ministers; but this was only equivalent to a wish that there might be a substitution of confidence by a change of administration; for it was evident that no Executive Government could exist without sharing in the confidence of Parliament and the public. The ulterior object of the present motion appeared to be nothing else than that of effecting a change of administration: and what were the charges that had been adduced? Ministers had been equally criminated for the two extremes of obstinacy and of imbecility; but what was the fair and candid inference to be drawn from accusations made of such an opposite nature, but that, steering clear of each of these extremes, the measures of administration were guided by wisdom and moderation? The noble Lord had particularly and severely reflected on His Majesty's Ministers for dissuading Parliament from listening to the overtures of Bonaparte to open a negotiation for peace. The grounds on which that refusal was built, were recorded by their Lordships—[Here Lord Grenville recapitulated the arguments used on that occasion, derived from the precarious nature of the new government of France]

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to treat for, or to maintain, a solid peace, &c.]—But the noble Lord had adverted to the subsequent success of Bonaparte, and to his continuance in power to the present period, and had argued a want of foresight in the Executive Government, in refusing to treat with that person. To this want of foresight, as stated by the noble Lord, he, for one, was ready to plead guilty. He had no hesitation to acknowledge, that he did not then foresee that Bonaparte, escaping as he had done from Egypt, should arrive at such a critical period in Paris, when the power of the Directory was on the wane, and when he should easily succeed in erecting his military despotism on the ruins thereof. He did not then foresee the subsequent events which, it would seem, have taken place in Italy; nor could it well have been apprehended, that the Austrian arms, guided by a military commander of great skill and experience, and in possession of so many strong places, should have suffered such a reverse of fortune. Nor, upon the supposition of a change of administration to-morrow, did he suppose any one man could be found, who could either foresee, or would choose to become responsible for particular events which might occur in the course of an extensive war, or for the conduct of our allies in the prosecution of it.

The noble Lord had likewise thought fit to assume, as the ground of his crimination of Ministers, two things, which he must take the liberty to deny; the one was, that the answer given to the overtures of Bonaparte was of an insulting nature; the other, that the acceptance of these overtures would have led to a secure peace. He would not needlessly employ the time of the House in repeating the substance of that answer, which had met with the decided approbation of Parliament in a former debate upon that subject; but he would advance a step farther, and tell the noble Lord, that with all the advantage he had derived from the knowledge and experience of subsequent events since that period, no other answer was proper to be given, or could have been returned. His Lordship, adverting to the reverses in the success of the Austrian arms, said, he must then do what he had again and again done in that House, disclaim all responsibility as to the conduct or councils of foreign powers: he could only argue and decide from the present disposition of their Governments, as connected with what appeared to be their respective interests. At present we were not possessed of sufficient documents by which to form an accurate judgment of the sentiments and determination of Austria; the late events in Italy had not been officially communicated; but if it were fair to form a judgment from the statement given by the enemy's General (Berthier) concerning the hard-fought battle of Marengo, it would seem that,

during many hours of obstinate contest, the victory hung long in suspense: the result, it was true, proved unfavourable to our allies; but had it proved otherwise, as might well have been expected, he thought little short of the total ruin of the French army must have ensued. Was it fit then, under all the relative circumstances in which this country was placed at the present moment, that the session of Parliament should be declared permanent; that that House should take the business of the Executive Government out of its hands; or that, from the momentary advantage which the enemy had obtained—not over this country, but over the arms of its allies, the spirit of the country should be depressed, its efforts paralysed, the line of conduct which it had hitherto pursued altered, or the engagements which it had formed with its allies disannulled and broken? He could not admit the idea for a moment, that the House would adopt so monstrous a proposition. For what purpose then did the noble Lord with the interference of that House in addressing His Majesty to declare the sitting of Parliament permanent? Was it that they might call the Austrian General to their bar, and decide on his conduct, and that with a view of deciding, not on his conduct, but on that of His Majesty's Ministers? Lord Grenville concluded with giving his decided opinion, that no advantage would result from acceding to the present motion; and that it would only serve to convey to Europe the idea that the spirit of this country was broken down, and that it was willing to yield to despondency.

Lord HOLLAND, in reply, remarked on the noble Lord's having boasted of the success which had attended the measures of Administration during this war; but denied that any success or acquisition of territory in India had compensated for the disgrace and ruin which their conduct had occasioned to this country elsewhere. He had not charged on His Majesty's Ministers as a crime, that they had not foreseen events which had afterwards occurred in the progress of the war; but he did think that they were culpable, if they did not take into their calculation the probability of the defection of our allies, as a motive to induce them to listen to proposed overtures for a negotiation of peace; and surely it was a want of that foresight which prudence and wisdom should have imparted, not to perceive the probability that France would succeed in her renewed efforts, in the event of her proposed negotiation being broken off.

The question being called for, the House divided. Against the motion, 26; for it, 2. Majority, 24.

HOUSE OF COMMONS.

Wednesday, July 9.

A message from the Lords required the attendance of the House in the House of Peers, to hear the royal assent given to the following bills: the Scotch Distillery bill, the Stamp Duty bill, and several private bills.

Mr. ABBOTT said, it appeared from accounts that were presented to the House, that a saving of seven or eight millions had accrued to the nation from the exchange which had been made of His Majesty's hereditary property for a permanent civil list. He wished that the House should know how that saving arose. Two millions had been saved during the administration of Lord North, as appeared by an account then presented. From that period, the advantage had been progressive. He therefore moved, as a preliminary measure, that the account presented by Lord North, on the 9th of April 1777, respecting His Majesty's hereditary property, should be printed.—Ordered.

Mr. STURGES moved the order of the day for the further proceeding on the New Forest bill. The order was then read for the third reading.

Sir FRANCIS BURDETT JONES said, that in this bill, which His Majesty's Ministers were passing, the public advantage was in reality no more than a pretence: they had another object in view; and that object was, to give to the Secretary of the Treasury an influence in Hampshire. Such a bill as this was brought in before; and was thrown out, on the just objections of the tendency it had to erect an undue influence, by turning copyhold estates into freeholds. It had, besides, a direct tendency to attack the rights of commons, &c.; and though only one or two petitions were received against it, yet it was impossible not to believe, that a considerable number of small men, having rights of common through so large a tract of country, must be aggrieved and ruined by it. Such was its tendency, that this useful race of men must be destroyed; and this was a loss that the country would feel much more severely than any loss from its decay of timber. Besides, on the very face of the bill there was something that wore the air of a job, giving all rights into the hands of commissioners, to be decided on under the colour of procuring forage for the deer in winter; which, from the smallness of such a supply as four hundred acres would furnish, he was strongly inclined to consider as a complete job. He would, on those grounds, oppose its proceeding any further.

Mr. ROSE said, he felt himself called upon, from the close allusion made by the honourable Baronet to him, to say a few words ; and, first, on the interest said to be created by this bill, he would but just observe, that it was impossible for the honourable Baronet, on reading it, to say that this interest was created. A number of gentlemen, having small tracts on the forests, were called upon to exchange land on the forest for other land ; and in this he (Mr. Rose) had not the remotest interest that could by any means justify such an assertion ; and he defied either the ingenuity or malice of man to impute, upon the least consideration, such a charge to him ; and in this assertion he hoped he would be believed. He would not take up the time of the House ; but he would now ask (in reference to what counsel had said) how copyholds were to be created ? how the Crown was to have the power of selling freeholds ? or how the cottage was to be put into a worse situation than before ? The bill was absolutely necessary for preserving and promoting the growth of timber in the New Forest, by preventing the injury it might receive from the browsing of deer, which does material damage to the trees. The bill did not throw the full decision into the hands of commissioners ; but gave the choice of a summary decision by commissioners for the trial by jury. He then recapitulated the further objections stated at the bar ; which he explained and removed ; and insisted that the bill gave no new right, unless it could be considered, that what could before be inclosed for timber, was now to be inclosed for the deer of the forest, and that did not exceed four hundred acres ; and desiring gentlemen who may have property on the borders of the forest, to purchase lots of land on fair and equitable terms.

Mr. HOBHOUSE said, that knowing the House was shortly to enter upon the discussion of a highly momentous question, he would endeavour to comprise within a small compass his observations against this bill. But before he stated his arguments against the measure itself, he would beg leave to remove one impression which might tend to prejudice the petitioner (Mr. Scott) who had been heard last night at the bar. It was said, and it would no doubt be said again, that there was but one petitioner against the bill, and that the property of that gentleman was so small, that he had few rights to lose. Mr. Hobhouse declared that he was persuaded the House would not shew less attention to the prayer of an individual whose interest was inconsiderable, than to one whose claims were of a greater extent. He would not hesitate to make that assertion, because he had seen frequent proofs of the justice and liberality of a British Parliament. But the fact was, that Mr. Scott was not the

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only petitioner ; the Ducheſs of Bolton had appeared in the ſame character, and many others would alſo have ſtood forward, had they been aware in ſufficient time how detrimental this bill would prove to their property. Mr. Scott had ſtated, in his petition, that until the 30th of June he had not heard of the meaſure now under diſcuſſion ; and the Ducheſs of Bolton had aſſerted her entire ignorance of it until a very few days ago. But now, ſaid Mr. Hobhouſe, let us attend to a letter which I have myſelf received from a gentleman who, though unknown to me, is not, I dare ſay, unknown to the honourable Secretary (Mr. Roſe), for he lives at no great diſtance from that honourable gentleman. The gentleman who has favoured me with this letter is Mr. Charles Biddlecombe, of Burton, near Chriſt Church. Mr. Hobhouſe here read the letter very diſtinctly, which was in the following terms :

TO ——— HOBHOUSE, ESQ. M. P. LONDON.

SIR,

I beg leave to return you my ſincere thanks, in common with many of my friends, for your oppoſition to the New Foreſt bill now before the Houſe of Commons. We feel greatly indebted to you for thus endeavouring to prevent this unfair and unjuſt deprivation of our rights. Many claimants, together with myſelf, would have petitioned the Houſe againſt the meaſure, as Mr. Scott did ; but the bill was brought in without conſulting any who have privileges attached to property near the New Foreſt, and was in its ſecond ſtage, ſo that we thought all oppoſition would be fruitleſs ; and further conceived, as it had gone through a Committee, its principles had been admitted to be proper. We yet hope the buſineſs may be delayed in the Commons ; but if not, we truſt we yet have an opportunity of preſenting a petition againſt it in the Houſe of Lords. As a total ſtranger, I beg to apologize for this intrusion, and in my name, for many friends, thank you for thus endeavouring to preſerve the privileges attached to our property ; and beg leave to ſubſcribe myſelf your very obliged, humble ſervant,

CHARLES BIDDLECOMBE.

Burton, near Chriſt Church, Hants,

July 6, 1800.

Would gentlemen any longer feel ſurpriſed that it was late before Mr. Scott's petition againſt the bill was preſented to the Houſe? He (Mr. H.) well knew, that any meaſure in which His Maſteſty was concerned was deemed a public matter, and therefore all perſons were bound to look after their own rights. Thus thoſe whoſe intereſts were prejudiced by this bill could not in ſtrictneſs complain of not having received notice ; but he thought that the law required amendment in that reſpect. In common applications to Parliament for incloſure, the ſpecific conſent of each individual having right of common was aſked. If this were not approved in caſes like the

present, let some mode at least be adopted, of making it publicly known in the earliest stage of the proceeding that such a bill, having relation to the King's forests in such and such a district, was brought before the House, and that its contents were to such and such an effect. Who could have supposed that a bill, which appeared to have for its object the preservation of His Majesty's timber in the New Forest, and the ascertainment of the boundaries of the royal estates, would sweep away, at once, all the rights and privileges which many persons possessed, without enjoining the commissioners, who were to carry the act into execution, to make complete and ample compensation for their loss? No one could have imagined that such an act of injustice would be proposed to the House; and well therefore might a commoner residing near the New Forest feel sufficiently satisfied (supposing him to have heard of this bill through the channel of the newspapers, which might not have been the case with very many of the persons of that description) that, at all events, no right or privilege would be taken away from him without a full and adequate remuneration. Mr. Hobhouse repeated, that Parliament ought to pass a law, requiring the strict observance of certain rules, adapted to give notoriety to bills of this kind.

Mr. Hobhouse then proceeded to comment upon the preamble, and several of the provisions. He insisted that the allegations of the preamble ought to have been proved by evidence at the bar, or by some other method, and not taken for granted. It was alleged that the timber and wood in the forest were not "properly preserved, notwithstanding the 9th and 10th of King William; and that many perjuries, encroachments and trespasses were committed, so as to make it necessary to ascertain the boundaries of the forest, and of the King's lands within it." That such statements were facts, ought not to have been assumed. If a bill were brought into the House for the better protection of the life of His Majesty, and the preamble affirmed that the life of the Sovereign was not so well protected as the life of a subject, because two witnesses were required to prove the killing in the former case, and one only might be sufficient in the latter, no evidence would be necessary to establish the point; it was what every one knew, or might know: but the preamble of the present bill was of a very different nature; how could the Members of the House feel assured that proper care was not taken of the timber in the forest, or that encroachments had been made upon the King's property, without any testimony whatever in support of those allegations? Mr. Hobhouse hoped that he was not misunderstood. He had no objection to the prin-

ciple of the bill. Its professed object went to the preservation of His Majesty's timber, and the protection of his lands from trespass. This was a good object ; but those who brought in the bill ought to have established the facts upon which it was founded.

Mr. Hobhouse next made several observations upon some of the clauses, and particularly objected to those which invested the commissioners with such extensive powers. What a clause was that, said he, which enabled the commissioners, if they entertained any doubts of the title of any individual, to proceed in a summary way by the examination of witnesses, and to demand the inspection and examination of his records, deeds, and writings? Was not every individual who might have a small lot of property which was supposed once to have belonged to the Crown, thus exposed to be harassed and vexatiously treated by these commissioners, who, although the names mentioned in the bill were truly respectable, might not always be men of such high honour and integrity?

Besides this objection to the powers of the commissioners, there was another, which had been properly insisted upon by the learned petitioner last night, and appeared to be absolutely unanswerable : He alluded to the clause which, by the loose manner in which it was worded, virtually destroyed the *nullum tempus* act. It was well known that, by that act, sixty years quiet and undisturbed possession was a good title even against the King, in whatever manner the property was originally acquired. But by this clause a person who had a house and lands, which might have been improved by his ancestors and himself at a great expence, may be ousted after an enjoyment of it for even an hundred years, unless he would consent to take a lease from the Crown for property he had been so long accustomed to look upon as his own. The words were—" if the said commissioners shall find that any land within the said forest, which shall appear to them to belong to His Majesty, hath been, for twenty years *or more*, inclosed and enjoyed, &c. &c." He would submit to the supporters of the bill, whether terms of such extensive import ought to be allowed to remain ? if through inattention they had found their way into it, ought they not to be erased ?

Mr. Hobhouse next drew the attention of the House to the clause which authorizes the verderers, as soon as the commissioners have caused a map to be made, ascertaining the boundaries of the King's lands within the forest, to order " the abatement of an inclosure, or the pulling down of any building, upon no other sanction than this map ; and subjects any person who shall retain, or *attempt* to retain the possession of any building or inclosure so ordered to be thrown open or taken down, to an indictment or information, and the pu-

nishment of fine or imprisonment, at the discretion of the Court. Would it not, he asked, have been sufficient to have limited so strong a discretionary punishment to an *actual retaining* of house and land, in defiance of the order of the Court? A man, in whose family a spot of land, with a house erected upon it, for the space, perhaps, of more than 100 years, might at first shew some unwillingness to have his little mansion destroyed, and his lands disinclosed, never having entertained a doubt that they both belonged to him rightfully; and this might be construed an "*attempt* to retain." Surely the House would not suffer provisions capable of being turned to such oppressive purposes to stand part of this bill.

Mr. Hobhouse said, that he should next offer a few remarks upon the clause which enjoins the commissioners to inclose 400 acres for the purpose of providing hay for the deer, and to preserve them *perpetually* in that state. In that clause not one word was said about giving to the commoners the value of those rights, of which they were to be thus for ever plundered. Two attempts had been made on a former occasion to justify this oppression, each of which he would beg leave to notice. An honourable and learned gentleman (Mr. Sturges) had asserted, that, under the 9th and 10th of King William, c. 6, the Crown was permitted to inclose, first 2000 acres, and afterwards 200 more per annum for twenty years successively; that not more than 3300 out of the 6000 were now inclosed; and that the statute of King William directed no compensation for the rights of commoners. But Mr. Hobhouse contended, that King William's statute could not operate upon the lands now proposed to be inclosed; because, to make them come within the scope of it, the inclosure should have taken place within the limitation of twenty years. And he further added, that he was not inclined to imitate the injustice of that act. If it took away the rights of individuals without bestowing an equivalent, the principle, he would be bold to say, was bad, and never should have his countenance. The same honourable and learned gentleman had also called to his aid the 20th of Henry III. c. 4, commonly called the Statute of Merton; but it appeared to answer his purpose as little as the act of King William which he had adduced. This statute, he said, gave to lords of manors a power to inclose waste lands, so that they left sufficient for the cattle of the commoners *levant and couchant*, without regard to their rights. But, in the first place, said Mr. Hobhouse, this statute did not comprehend the King, though a lord of the manor, because he was not specially named; and the reason for it he took to be this: If the King could be operated upon *beneficially* without the insertion of his name in the act, then might he

also, in other cases, be acted upon *restrictively*. He would explain himself by taking the present instance as an example. If the King could take an advantage under the statute of Merton as a lord of manor, though the act be not stated to extend to His Majesty, then a bill brought into Parliament, laying restraints upon lords of manors, and, perhaps, imposing penalties upon them, would be binding upon the King, unless an exception had been made in his favour: besides, if the statute of Merton gave authority to the King, as lord of a manor, to inclose what he pleased, so that he left enough for the use of the commoners, and in this case enough would be left, notwithstanding the inclosure of the 400 acres, why was this part of the present bill introduced? It was superfluous. But still farther; he (Mr. Houhouse) was not afraid to declare, and no man could better rectify the mistake, if he were wrong, than the learned gentleman, that the statute of Merton extended not beyond common of pasture, (Mr. Sturges nodded assent,) and that the land inclosed by the lord of the manor was not freed from common of turbary. In that respect the petitioner had said that he should be much injured, and that the right of digging turf for fuel within the forest was of considerable worth to his farmer, and therefore to himself; and surely neither he, nor the many others who were in the same predicament, ought to be deprived of the privileges attached to their property in that neighbourhood, without receiving an ample compensation. What strength then had the honourable and learned gentleman afforded to his argument by an appeal to the statute of Merton?

Mr. Hobhouse afterwards adverted to the two clauses introduced upon the recommitment of the bill a few days ago, instead of the clause A, inserted upon the commitment. These clauses, he said, inflicted a still heavier injury of the same kind than the perpetual inclosure of only 400 acres. The one of them, which authorized the alienation by sale of small parcels of land belonging to the Crown, had no saving with respect to the rights of commoners; the other, which permitted exchanges of crown lands, to a certain amount, for the lands of any individual, had, in the most absolute and specific terms, destroyed those rights, by stating that the party, who had agreed to take any of His Majesty's lands instead of his own, should hold them "freed and discharged from all common of pasture, and other rights of common." Thus parts of the forest might be sold or exchanged to any amount, regardless of the great loss of the commoners; for though the sale and exchange could not be, in any instance, of more value than 500*l.* yet there was no restraint upon the number of such alienations. Mr. Hobhouse here

took the opportunity of supporting the remark of his honourable friend (Sir F. Burdett), and declared, that he agreed with him in thinking, that these clauses were capable of being converted to electioneering purposes. Many little forty shilling freeholders might be created, who might easily be kept subservient to the will of a powerful neighbour. He would not accuse the honourable Secretary of having such views: he barely stated that such a use might be made of the clauses now under discussion.

Mr. Hobhouse now drew towards a conclusion. He pressed the honourable and learned gentleman to withdraw the bill for the present, and introduce it in a more perfect shape at the beginning of next session. If the preamble of the bill contained no other allegations but what were proved; if the obnoxious parts were amended or expunged; and if, agreeably to the principles of justice, no rights or privileges were taken away without a fair and full equivalent in return, he would make no opposition to the bill; but as it now stood, it should have his most decided negative.

Mr. STURGES traced the bill through its whole procedure, and insisted that its progress was marked with deliberation and candour.

Mr. HUSSEY said, that he thought a much better use might be made of the forest lands at this time than was made of them, by drawing provisions out of them for the subsistence of the people; and when he heard of the inclosing of 400 acres out of 60,000 for raising hay for feeding deer in winter, he could not but remark, that to him it looked like a pretence for some other purpose. He called upon the right honourable gentleman (Mr. Pitt), under whose plan those surveys had been first made, to say, whether it was not a reproach that something was not done since that period for the good of the people, from those surveys of the crown lands? This bill was but making the Crown a farmer to feed deer, and was in its nature so subtle, that he thought the people could not be amused with so idle a story.

Mr. H. BROWNE defended the bill; and the House divided on it—Ayes 92, Noes 21.

The bill was then read a third time and passed.

Mr. ROBSON moved for an account of the number of houses within the bills of mortality, St. Pancras and Mary-le-bone, paying taxes of uninhabited houses, but not included in the poor rates.

Mr. ROSE thought this account could not be made out; and if it could, he did not see that it would answer the honourable gentleman's object.

Mr. BUXTON did not see how the extra-parochial houses could be found in the parishes.

Mr. MAINWARING hoped the honourable gentleman did not purpose delaying the bill until this return was made.

Mr. JONES thought that every document on a matter of importance should be furnished, which could lead to a right understanding of the business.

Mr. Chancellor PITT said, that he did not perceive the object of such a motion, and looked in vain for its meaning.

Mr. ROBSON said, the object was to get the extra-parochial property put on the same footing of taxation as the parochial.

The House divided on this motion—Ayes 25, Noes 103.

Mr. WESTERN.—“ Sir, pursuant to the notice I gave last week, I now rise to submit a motion to the House upon the important subject of the war in which we are engaged. Considering, Sir, attentively the eventful changes which have taken place in Europe since the commencement of this year; seeing that, even at this early period, those hopes we had vainly entertained of a brilliant and successful campaign have in effect completely vanished; feeling as I do that this House is deeply responsible to the nation for having supported Ministers in their rejection of overtures of peace in January last, upon grounds which have now proved utterly fallacious: Reflecting, Sir, upon these most important subjects of consideration, I have upon the whole determined, that the measure most expedient in the first instance to offer to the adoption of the House is, that this House should resolve itself into a Committee of the whole House to take into consideration the state of the nation. I am aware, Sir, from me personally, every apology is necessary for presuming to advise the line of conduct to be pursued in a moment of so much interest and importance as this unquestionably is: and, Sir, had I known at the time I gave the notice what I now understand to be the case, that one or two honourable gentlemen had it in contemplation to propose a similar motion to that I have now the honour to make, I should not myself have come forward upon this occasion; I feel at the same time greatly relieved by the certainty, that I shall receive the full support of those honourable gentlemen, whose characters and abilities I well know most eminently command the attention of this House. In proposing that this House should go into a Committee of Inquiry upon the state of the nation, I am actuated by a firm conviction, that, consistent with the character and duty of this House, there exists an absolute necessity that we should take into our deliberate consideration those important and striking events which have transpired since the commencement of

the present session. I cannot see, indeed, upon what principle we could be justified in permitting the session to elapse without directing our attention to circumstances which have in effect altered or removed every alleged motive for our conduct at the beginning of the present year. It is evidently impossible to deny, that since we gave our sanction and approbation to His Majesty's Ministers in rejecting the overtures of the French Republic in January last, the political state of Europe is completely and entirely changed; every reason that was then urged by Ministers to induce us to sanction their measures, now ceases to exist; every hope, every prospect they held out to us, is reversed; every prophecy, every prediction they made, has totally failed; and we now distinctly see, that the advantages we did possess have been sacrificed either to their pride and rashness, or, at all events, to their miserable want of foresight, sagacity, and prudence. Under such circumstances, is it too much to say, that it is become the indispensable duty of Parliament to reconsider those opinions too readily adopted in the beginning of the year, to consider how far it is wise or even practicable further to pursue the same line of policy we have approved? Is it not our duty especially to consider how far we can be justified in continuing that confidence in the King's Ministers which we have hitherto so abundantly given them? If, Sir, the important and critical nature of your situation was so strongly impressed upon the minds of other honourable gentlemen as it is upon mine, it would be difficult for me to discover what objection could be urged against the motion I have determined to propose to the House. In all times of difficulty and danger, the nation must ever look up to the opinion of its representatives, and rely for protection upon their energy and their wisdom: it is in such cases unquestionably one of the most important functions of Parliament to advise the Executive, and, when necessary, to interfere and stop the progress of a weak or wicked administration. Such, Sir, I conceive to be our immediate and commanding duty at this moment; it is our duty, I say, to interfere by our advice, and check the career of a rash and desperate Minister.

"But, Sir, I well know, upon all the important subjects for our consideration, many honourable gentlemen differ from me in opinion materially and fundamentally, and by them I expect that various opinions will be urged against the motion: it will probably be said, that to go into a Committee of Inquiry upon the state of the nation, would tend to embarrass the Executive Government; would argue a total want of confidence in the Ministers, and disapprobation of their conduct; that it would infer a desponding idea of the

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situation of the country ; that it would be inconsistent and even contradictory to opinions repeatedly and deliberately given in the course of the present session. Such are the objections which I have no doubt will be urged against the measure, but which, in my opinion, ought, under present circumstances, to have no weight whatever with the House. In regard, Sir, to the latter objection I have mentioned, I own I think it completely answered by what I have before stated, namely, that the political state of Europe is completely changed, and that the same system of policy, the same measures, can scarcely be wise and expedient now, which were considered so six months ago, before those changes and events had taken place. If, Sir, it is an objection to the motion, that it argues a want of confidence in His Majesty's Ministers, and disapprobation of their measures ; to that objection I fully plead guilty, and even admit that it is a principal motive of my conduct in bringing the motion forward. The objection, if such it can be stated, I am prepared fairly to meet ; and, Sir, I will only go back to the commencement of this year to justify the want of confidence I entertain in the administration of those honourable gentlemen. I contend there is, within that short period, the strongest grounds to prove their want of sagacity, wisdom, and prudence, and consequently to question very much the safety of the country whilst the reins of Government continue in their hands. The commencement of the present year produced a new æra of the war : a new Government had been formed in France, which assumed a tone of moderation and desire of peace very different from that which characterised any former that had prevailed since the Revolution. This new Government sent overtures of peace to this country in a way that carried, I think, every apparent mark of sincerity, and unobjectionable as far as the proposal went : such a circumstance gave us a most valuable opportunity of treating with honour at least, and I believe of concluding a peace to greater advantage than we shall have any chance of doing again. The memorable answer, Sir, to those overtures is so strongly impressed upon every man's mind, that I need not particularly refer to it. The determination was fixed and decided : upon no terms whatever would His Majesty's Ministers condescend even to treat for peace, or hear the proposals which this new Government of France was at that time desirous to offer. I shall hope to hear from the right honourable gentleman (Mr. Pitt), in the course of to-night, whether he still adheres to this determination, and is yet resolved to listen to no terms of peace with the present existing Government in that country ; or has he sufficient experience and evidence of facts to induce him to revise his former opinions ? But,

Sir, let me ask the House, whether, to justify so extraordinary and so rash a decision, it did not require, at least, that the Minister should have had the strongest and surest grounds to proceed upon? instead of which I will undertake to prove, in truth it is indisputable, that the grounds and motives they alleged for their conduct have turned out in every instance utterly fallacious. Before, Sir, I proceed to examine the reasons at that time urged by His Majesty's Ministers, let us for an instant reflect upon the situation of this country at the period of that pacific disposition manifested on the part of the enemy. We had then been seven years engaged in a war, unexampled in the destruction of the human species, unexampled in the expence incurred, and in which every succeeding campaign proved to us more clearly the impossibility of effecting those principal objects which Ministers at different times declared to have in view. The people of England, though submitting with extraordinary fortitude and patriotism, yet bending under the weight of enormous burthens, pressed also by the most obnoxious species of taxation that ever was endured by any nation upon earth, and, to add to all, their distresses extreme from the scarcity of the seasons, distresses certainly increased, and indeed materially, by the war; all these are circumstances which surely ought to have weighed very forcibly upon the minds of Ministers in deciding the important question of peace or war; and I therefore, Sir, repeat my assertion, that it did peculiarly require the strongest and surest grounds to proceed upon, in any way to justify the rejection of fair overtures of peace made to us at that time on the part of the enemy. Let it not also escape our recollection, that the extraordinary mode in which they were rejected, tended to induce the most inordinate species of hostility, to remove the prospect of peace to a more remote distance than ever, almost to close the door to peace with the existing Government in France.

“Now, Sir, I will shortly examine the different circumstances which were urged by Ministers to induce the House to approve their measures, and consider whether they have answered in any one point, or rather, as I assert, whether they have not entirely failed in all. In the first place, much was said in regard to the character of the Chief Consul, upon whom no reliance could be placed for the maintenance of any treaty or engagement that should be entered into on his part. Then, Sir, was stated generally the probable instability of the Government, and great hopes were entertained of its overthrow, founded upon the supposed increasing strength of the Royalist party. But, above all, the greatest expectations were formed from the astonishing power of the Emperor of Russia, and

his earnest and devoted zeal in the cause. Finally, the exertions of the House of Austria would exceed infinitely those of any former campaign. From all these circumstances combined, hopes of the most brilliant successes were entertained, such as placed beyond all doubt the expediency of further prosecuting the war. Good God, Sir! how completely have all these hopes and expectations vanished. I shall make but few observations upon the miserable invectives that were urged so strongly against the character of the Chief Consul of France; I believe the friends of Ministers are ashamed of the pitiful and personal abuse in which they so abundantly indulged. I feel, Sir, little inclined myself to enter into any discussion of the character of General Bonaparte; but I will assert, that since his possession of the chief magistracy of France, he has evinced ability and conduct that create the admiration of the world, and in many instances extort the unwilling approbation of his enemies. I will also assert what I am convinced is the fact, that the people of this country, and of Europe at large, in some degree founded their expectations of a general peace upon the opinion of the wisdom and moderation of his views and principles. In regard generally to the instability of this new Government, I think it will not be much disputed now, that within the short period of six or eight months it has given tolerable proofs, not only of stability, but, I am sorry to add, that it possesses a species of vigour, activity, and energy, hardly to be equalled by any other of the powers of Europe. The Royalist party, in some measure, by the effect of conciliation and treaty upon moderate and liberal terms, followed by the most vigorous measures against those who still held out, was soon totally annihilated; and thus an early specimen was given at once of the moderation, the popularity and power of the new Government. The Emperor of Russia, upon whose enthusiastic zeal in the cause so much reliance was placed, very soon seceded altogether from the coalition; and, not content with that, we have reason to believe he is now considerably inclined to hostility against this country. The Emperor of Germany, notwithstanding the efforts he has made, is totally defeated, and at this very moment, according to the opinions of most men, is about to accept peace upon such terms as the victorious Chief Consul is willing to give. In addition to these circumstances, we have reason to expect, what appears to me a most alarming and important event if it should take place, the formation of an armed neutrality amongst the northern powers;—and it is not an immaterial consideration, that the French, who had agreed to evacuate Egypt, by our folly and injustice, for so I still must call it, are perhaps more firmly established there than ever—the Porte

also, our good ally, by no means delighted with our conduct upon that occasion.

“What then remains of all the hopes and prospects which Ministers presented to our view? Are we not disappointed in all? Am I not justified in saying, every expectation has been reversed, every prediction failed, and every advantage we did possess at the beginning of the year actually lost? Can the House do otherwise than doubt the foresight, the wisdom and sagacity of those honourable gentlemen, and consequently the safety of the country under their direction? I assert it is the duty of this House to take into its immediate and full consideration the critical situation of the kingdom. It is our duty to consider how far we can be justified in further supporting a system of measures which we have already too long and fatally adhered to: I repeat, that it is our duty to consider whether we can be justified in continuing that confidence in His Majesty’s Ministers which we have hitherto so abundantly given them.

“I stated, Sir, in a former part of my speech, that an objection might perhaps be urged against going into a Committee of Inquiry, founded upon a notion that it would infer a desponding idea of the situation of the country; it is not my intention to convey such an idea; and I contend, the motion, if adopted, would not have that effect. But, Sir, I will admit at the same time, that I wish to convey strongly to the conviction of every man’s mind, that our situation is critical, and that our safety depends upon the measures we shall pursue. If we determine obstinately to follow the same system we have done, I shall feel there is in that case considerable grounds of serious apprehension and alarm.

“It is impossible not to take into our contemplation the great probability that exists of peace being immediately concluded between Austria and France. Suppose then the Government of this country determines to persist in the same spirit of inveterate hostility which has so strongly marked the conduct of Ministers hitherto; suppose France completely disengaged from all continental war, and directing the whole force of that extraordinary energy she now possesses against this country; I have no hesitation in saying, that, under such circumstances, I should not consider our situation by any means secure. There is no man entertains a more exalted and proud opinion of the superiority of our naval power, and the vigilance and activity of our brave and gallant tars, than I certainly do: but we cannot command the elements; and experience has proved to us, that notwithstanding the protection of our navy, France has been enabled, in more instances than one, to threaten and even invade our shores. I repeat again then, if disengaged from all conti-

mental war, directing her whole force against this country, possessing the vast line of coast that she now does, and keeping you in perpetual alarm from various points, I see no reason why, by repeated efforts, and the sacrifice of some men, which is perhaps not regarded, she may not land considerable forces in our sister kingdom. What the event would be, if the victorious and veteran legions of the Chief Consul, led on by the ablest officers in the world, should obtain any footing at this moment in that country, I will not now anticipate; but I believe there are not two opinions upon the subject, as to the extreme distress and difficulty at least it must inevitably occasion: nor, Sir, do I see what should prevent France from making the attempt. I do believe the other powers of Europe would be glad to see the pride of this nation effectually humbled; and if the rulers of France are guided by the same passions which are too apt to govern mankind, they will naturally be induced to make the effort. It must, I think, be admitted, that His Majesty's Ministers have done every thing in their power to goad and irritate them to desperate and irreconcilable hostility against this country.

“ In regard to our internal situation, I by no means wish to undervalue those wonderful resources we do possess: but, Sir, I believe no man who reflects at all, can contemplate the enormity of our public debt, and the immense revenue we are obliged to raise, without feeling considerable emotions of alarm, and wishing most anxiously for a reduction of that unbounded expence which a continuance of the war must still induce. It is with extreme pain we must add to those burthens which already press upon the people, to the full extent they can bear: and, Sir, we ought seriously to consider the increased difficulties they have to encounter, from the scarcity of almost every article that constitutes a necessary of life. Now, Sir, let us review these circumstances, and reflect at the same time that the people of England ardently desire the restoration of peace. The people of every nation in Europe join in the same anxious wish. Every communication you receive from Paris, from Vienna, from every part of the Continent, breathe but one sentiment and desire of peace. The people of England hail the prospect with joy and satisfaction, even through the defeat of our allies; and our public funds absolutely rise in proportion to *their* disasters, in the expectation and hope that we may be *compelled* to make peace. I will then leave it to the House to determine, whether we ought a moment longer to support His Majesty's Ministers in continuing the arduous and unavailing contest. My own individual opinion is, that measures should be taken for the immediate restoration of peace;

and I see no objection to overtures being instantly made on the part of this country, except, indeed, that it might wound the pride of those honourable gentlemen who at present enjoy the confidence of His Majesty; and yet, by the example of their conduct in the year 1797, I think I could completely justify such a proceeding. In the year 1797, when General Bonaparte had conquered Italy, and when preliminaries of peace were signed between Austria and France, exactly conformable to the convention entered into after the battle of Marengo between the Chief Consul and General Melas, His Majesty's Ministers took that precise occasion to renew their overtures to the French Directory, and they stated specifically as their reason, the termination of hostilities upon the Continent. I shall take the liberty of reading the first paragraph of the official note of Lord Grenville upon that occasion to the Minister of Foreign Affairs at Paris—as follows:

“The signature of the preliminaries of a peace, the definitive conclusion of which is to put an end to the *continental* war, appears to afford to the two Governments of Great Britain and France a *natural opportunity*, and *new facilities*, for the *renewal of pacific negotiations between them*; a part of the obstacles which might have retarded the salutary work no longer existing, and the interests to be treated of being after this event neither so extensive nor so complicated as they were before.”

“Now, Sir, I do not see the difference between the cases of that period and the present, except what, under judicious management, might turn out in favour of a proceeding, in substance similar, at the present moment. We might perhaps be yet in time to negotiate jointly with our allies; whereas in 1797 we were left to continue the contest alone, or make the best terms we could under the peculiar circumstance of being abandoned by every principal power in Europe; each of whom had successively pledged their faith to us in the common cause, and tasted abundantly of our liberality. Though it is my decided opinion, therefore, that we ought immediately to take measures for the termination of the present contest, yet, Sir, I do not mean at this moment to propose we should interfere with the Executive Government to advise the commencement of negotiation on the part of this country; I think it is incumbent upon this House, in the first instance, to take into its deliberate consideration the critical state of the nation, and with that view to resolve itself into a Committee of the whole House; we shall then have an opportunity of inquiring upon what grounds His Majesty's Ministers thought proper to reject the overtures of peace made by the enemy in January last, and what reasons they can now allege

to justify their conduct upon that occasion ; what future hopes and prospects we can entertain in the further prosecution of the war ; whether any expectations can be formed of any efficient or advantageous alliance with any of the continental powers ; and whether there is not, on the contrary, reason to dread, that in the north of Europe an armed neutrality is forming, with hostile views against us ; we shall then have an opportunity also of examining with more accuracy the internal situation and resources of the country. These, Sir, are most important subjects of consideration, which ought, in my opinion, to engage the immediate attention of Parliament. I therefore move, " That this House do now resolve itself into a Committee of the whole House, to take into consideration the state of the nation."

Mr. HUSSEY seconded the motion.

Mr. WILBERFORCE said, that after hearing attentively the speech and the motion of the honourable gentleman, he could not but consider the real object of the measure which he had proposed, to be the subversion of all the plans and the counteraction of all the conduct which Ministers had adopted and the House had hitherto sanctioned. The honourable gentleman had stated, and it was unquestionably true, that the situation of the country was at present highly critical. But the critical situation of the country, though allowed, was not in his opinion, of itself, a sufficient ground on which the motion could be rested. The honourable gentleman considered it in his motion as ground of inquiry ; but, sensible that of itself it would not avail, he went much farther in his argument. The country might be in a critical situation, and yet it might not be the province of the House of Commons to interfere, to dictate the measures to be pursued, which ought, so far as the motion is concerned, to be taken for granted. In the argument, however, it was stated, that on account of the conduct of Ministers, the honourable gentleman had withdrawn his confidence in them : but because he had withdrawn his confidence, it was certainly presuming a little too much, to say, that the House of Commons, who have long been of a different opinion from the honourable gentleman, have withdrawn their confidence from Ministers. It was incumbent on him, therefore, in the first place, to prove, that confidence ought to be withdrawn from Ministers, and that they had justly forfeited it. He perhaps carried his sentiments upon this point a little farther than some other gentlemen ; not from his attachment to the present administration, but from a conviction that the House (being necessarily unacquainted with plans formed and entered upon, not furnished with circumstances relating to the means of executing these

plans, with the details of operations, with treaties projected but not concluded, and other things of a similar nature) must be in many respects unqualified for interfering, with propriety, with the proper and peculiar functions of the Executive Government. It was obvious, that there were many cases in which such interference must be injurious; and in the present instance he was convinced that it must be highly so. This he would endeavour to prove on either of the three suppositions—That the war is to be continued; that negotiations were to be entered upon; and even that peace was to be concluded. “Consider what would be the effect of adopting the measure proposed, if the war is to be carried on, and adopting it on the grounds and principles which the honourable gentleman had laid down. It is evident that if the House enters into this Committee, the first resolution that will be proposed to it, will be, to instruct His Majesty’s Ministers to negotiate for peace. But must not every man see, that for the House of Commons to give such advice, would be at once to shew, that it had withdrawn all confidence from His Majesty’s Ministers, and thus be most prejudicial to this country, whether its effect is considered as it would affect our allies or our enemies. And, first, what would be its effect upon our allies? It has been long the boast of this country, that it has maintained the most unsullied fidelity in its engagements with its allies; it has displayed a scrupulous delicacy in adhering to its engagements, even more than could be strictly required in fulfilment of moral obligation. But if now we are at once to advise negotiation, or even to adopt any measure which has this for its ultimate aim, we shall be departing from those principles which have hitherto regulated our conduct, and without knowing what are the designs of our allies, or their means of fulfilling their engagements to us, by violating our engagements to them. If our allies should yet have the means and the desire of continuing the contest, would not our conduct in withdrawing confidence from Ministers, thus rashly and precipitately, be left without justification? Ministers themselves have yet received no documents by which they can ascertain these points. They have no documents now to regulate their conduct by; and shall the House of Commons, who have still less means, prescribe what that conduct is to be? Still worse will be the effect of this measure if the war is to be continued, in increasing the triumph of our enemies, as it enables and entitles them to call us a prostrate nation, subdued, humiliated, and at their mercy. But, supposing negotiations shall be commenced, and even that they shall be continued, it would certainly be very prejudicial to negotiating with advantage, or procuring favourable terms, that the

enemy should see that we had been so dispirited by the reverses of our allies, as at once to be induced to desert them, and humbly to sue to them as the Lords of the Ascendant." He would ask, what had this country to apprehend from the greatness of France? He knew that there was danger to be apprehended from that country in war, and perhaps still greater in peace. But he could not perceive how that danger was increased at the present moment, so as to authorise the measure proposed. The motion appeared to him to be pregnant with great danger to the country, mischievous in its tendency, and in fact mischievous on the part of the honourable gentleman who moved it. If negotiation was proper, he would ask the House what reason had been adduced to prove that Ministers would not see and act upon that propriety? They did negotiate in 1797, and thus gave evidence of their willingness to make peace whenever they thought that it could be done with safety and security to the country. What reasons, he would ask, had the House now to conclude that they would not do so again, when circumstances pointed out the measure as expedient? They had understanding to discriminate when these circumstances existed, and he was convinced, that they had integrity to decide and to act upon them. He would not follow the honourable gentleman through the details of the reasons which he said had been given for rejecting the overtures for negotiation at the commencement of the present session. But there was one thing which he seemed entirely to forget, when he argued that Ministers had reasoned on the instability of Bonaparte's power; and it was this, that it was impossible to foresee that his power would be stable, till time had elapsed to shew upon what grounds it rested, and whether he would be able to retain it. If Bonaparte had acted well since he came into power, he would ask the House, what reason they had to say, that Ministers did not perceive this, and that they would not, in regulating their conduct, take this into consideration? If some of the schemes of the Ministers or their allies had failed, if they had failed from want of prudence and precaution on the part of Ministers, he would not say that they were not responsible; but if they had failed, not from this cause, but merely from circumstances which no prudence could foresee or prevent, from the adverse fortune of war which had made the event of one or two great actions unfavourable, Ministers could not be blamed for this. It was unfair and unreasonable to judge that Ministers were undeserving of confidence from events such as these. He trusted, that administration would not make any of the declarations which the honourable gentleman called on them to make; and that the House would not call them to make peace be-

fore the time should arrive when it could be done with safety, and when such terms should be procured, that we should not soon be obliged to engage again in war. On these grounds he would oppose the motion.

Mr. MARTIN said, that the honourable gentleman who had just sat down, had talked of the responsibility of Ministers being a ground for the House not giving them its advice as to the measures which they ought to pursue. For his part, after what he had seen pass in the country and the House, for some years back, he had become sick of the very word *responsibility*. "They say, you must not presume to interfere with our conduct, by advising us, because we are responsible; but when it is presumed to inquire into their conduct, or to censure it, then no more is heard of their responsibility."

Mr. W. SMITH said, that his honourable friend, who had spoken last but one, had allowed, even in his opposition to the motion, that there was a great difference made between the state of affairs now and at the beginning of the year. He would contend, that in the present state of this country, and of Europe, sufficient motives might be found for supporting the motion. His honourable friend said, that if the House went into a Committee, as proposed, they must come to a resolution to instruct His Majesty's Ministers to make peace. This was certainly by no means a necessary consequence of going into a Committee; and if he were to dictate the resolutions to be adopted by the Committee, no such should be found among them. Though the House were this night to form itself into the Committee, it might also adjourn over till next week, or till time should be given for accounts to be received of the dispositions and forces of our allies. The honourable mover of this measure certainly did put his motion on what he conceived to be dangerous to the country, leaving the management of its affairs in the hands of men whom he thought undeserving of its confidence; and his honourable friend over the way opposed the motion, on the ground that it was necessary, first, to prove that Ministers were undeserving of confidence. He agreed with both gentlemen, and allowed that it was incumbent on those who argued on the side of the question which he meant to support, to state some reasons why Ministers were not entitled to the confidence of the country; and secondly, to shew, that withdrawing it at this moment would not be attended with any dangerous or evil consequences to the country. In the first place, he allowed, that the want of success alone would not justify the withdrawing of confidence from Ministers. But if the want of success arose from causes which naturally produce it,

and if those causes continued to operate, then that confidence ought no longer to be granted. There were several grounds of confidence upon which he would try the pretensions of Ministers to the confidence of the country. 1st, Had they displayed a knowledge of, and capacity to appreciate men's characters? He would try them on this point, both as to allies and enemies. What was to be inferred on this point from their conduct to the King of Prussia in the beginning of the war? They continued to subsidize him, notwithstanding the assurances given them, that he only waited a favourable opportunity for deserting our alliance; and after he had received all our subsidies, he did, notwithstanding the assurances of Ministers to the contrary, desert our alliance. Passing over a number of other instances, let us see what was their ground to this claim of confidence. With regard to the Emperor of Russia, they declared him to be our most magnanimous and disinterested ally. He would be glad to know, if by saying so, they have displayed any knowledge of his character? He had not only deserted the alliance, but, as was alleged, on the very account we had some difference with him as to his interest in keeping possession of Malta, should we obtain possession of that trifling island. If this were true, surely it was not very consistent with the pretended disinterestedness of his character. Farther, what sagacity in reading men's characters had Ministers displayed in the estimate they had made of those of our enemies? He would say nothing of the character of Bonaparte, but would leave it to stand or fall upon its merits. It would not, however, be too much to say respecting this point, that every man must be convinced, that Ministers repented, would willingly retract, and wished that they could efface from their own memories, and those of others, the violent invectives which they had so liberally lavished upon it. A second ground of confidence in Ministers, and a second criterion by which their claims on the confidence of the country ought to be estimated, was their skill in predicting events. In the course of the present session 550,000*l.* had been voted in subsidies to the Elector of Bavaria, a Prince whom every person, even of common information and discernment, saw only waiting to join the strongest party, and who had given no assistance in return for our money. Had they been right in any one prediction that they had made of any event which had taken place over all Europe? Had they been right in their prediction of events in Italy? Had they been right in their prediction of events in Egypt? Had they been right in their predictions as to the insurrections which were to take place in France, with regard to the disorganization of the French armies, of the French

finances, or of the stability of the new government? Another qualification which would entitle Ministers to confidence, and by which their claims were to be tried, was, their having taken advantage of great political conjunctures. Had Ministers done this? they had never negotiated except when, by their own confession, they were driven to it. When they stood as it were on the vantage ground, and could have negotiated on favourable terms, they rejected all overtures for negotiation. At the time when we refused to listen to Bonaparte's overtures, the affairs of our allies were certainly very different from what they are now; but we then played the part of a desperate gamester, who, having gained every thing that could be considered as gain, and having only a desire to obtain something more, which is really of no consequence, risks all his advantages upon the cast of a single die. One of the traits in the character of William III. which had been most celebrated, was the faculty which he possessed of keeping together with very slender means a great confederacy, and uniting their efforts for the attainment of one end. At first, we had the advantage of being confederated in the war with almost all the powers of Europe; but their efforts had never been directed to one point. One power had one object in view, and another power professed another object; till, some from one cause, and some from another, they had been continually dropping off from the alliance—The confederacy, broken to pieces of itself—*suis viribus ruit*. Another point in which Ministers had forfeited the confidence of the country was, that in other respects beside these which he had mentioned, they had not taken advantage of the immense means that had been at their disposal. He could give little credit to them for raising the money which had put these means at their disposal; for it was but small merit to them, that the country had been able to furnish them with such immense supplies. The right honourable gentleman had talked frequently of the great advantages resulting from what he called the solid system of finance, which he had introduced in the income tax: but in his opinion this ought to have been the last means resorted to, as it was oppressive and grievous in its nature; neither was it a new system; for we find it adopted under the old government of France, in vingtiemes and dixiemes. These taxes were originally imposed by Louis XIV. in the midst of his career of ambition and conquest; and even then, in France, they were considered as oppressive: now then, where was the merit of raising money, when such oppressive measures were resorted to? But what had been done with the money so raised? The votes for the navy and army for the two last years were between 20 and 24 millions; and with this nothing had been done but defending the country,

and carrying on the Dutch expedition. ✓ He would allow, that defence was a great object, if the French fleets had not been entirely inadequate to meet ours in open sea, and if the French land force had not had ample employment in another quarter. As to the Dutch expedition, the right honourable gentleman might say that we gained great honour by it ; but not a man in the country could lay his hand on his heart and join him in that opinion. For these reasons he thought the House would be justified in withdrawing their confidence from Ministers. But what would be the effect of this ? It might be answered, in the first place, the appointment of others in their room. He would ask, if they were the only or best men in the world for carrying on the war ? The manner in which they had hitherto conducted it argued little in their favour on this point ; for surely it could not be pretended, that they had carried it on successfully. If they were not the best for carrying on the war, he might next venture to ask, if they were not the worst possible for making peace ? They had argued all along, that peace with France would be a great evil ; that there was more danger to be apprehended from it than from carrying on the war ; and that we ought not to make peace with that power under her present government, without being reduced to the last extremity. Were the present Ministers then to propose to negotiate with France, it would be publishing to the enemy that we were reduced to the last extremity. The honourable gentleman (Mr. Wilberforce) had said, that if peace were expedient and proper, Ministers would see this expediency and propriety, and would act upon it : but their seeing this expediency did not remove the objection that they were the most improper persons to treat. Ministers have piqued themselves very much on the support they had received in the opinions of the people of this country ; but if they would examine, they would find that the most unequivocal desire of peace prevailed among every class of men. Among monied men particularly, the symptoms of this desire were discoverable. Ministers had always represented this war as carried on for religion and social order ; but in the consideration of monied men these objects were not either of so much importance, or so much in danger, as materially to affect their opinions ; for whenever the slightest ground was given for supposing that negotiations would be entered into, or that peace would be concluded, the credit and confidence of the country had risen in proportion. By the credit of the country he meant, and he believed it was generally understood that this expression was synonymous with, the public funds. On a late occasion, the right honourable gentleman had boasted, that at no period since the com-

mencement of the war had the credit of the country been so high. He could now tell him, and it was a well-known fact, that since the late news arrived, this credit had become still higher, from the impression that Ministers would be driven to make peace; and if to-morrow news should arrive, that the Emperor had signed the preliminaries of peace with France, and it should appear that Ministers had, even under the present adverse circumstances, sent a courier to Bonaparte to inform him of their willingness to negotiate, the funds would yet rise in a much greater degree. The precedent of the American war appeared to him to be in point to our present situation. He was aware that,

————— *Facies non omnibus una
Nec diversa tamen.*

But he was afraid, that if we persisted, the issue of that war would be only a sample of what would be the termination of this. Then, indeed, this country would stand in a most disgraceful situation; for it must be a disgrace if, through the fault of the Statesmen to whom the affairs of this great nation were entrusted, and who had had the complete disposal of its means and force, it should be reduced to terminate the war only in such circumstances as Ministers themselves represent as the only circumstances which can justify negotiation. On these grounds principally, Mr. W. Smith voted in support of the motion.

Mr. WINDHAM observed, that however improper he might consider this motion at the present time, or in the present circumstances, a time might come, and circumstances might exist, when such a discussion would become necessary; and were he then to enter into that discussion, he would turn his attention to one side of the question which gentlemen seemed entirely to have forgotten. There were dangers in peace as well as in war; and though the country could never be in both at the same time, but must be either in a state of war or a state of peace, in discussing the question of peace or war, it was necessary to consider and estimate the dangers of both. This country was now in a state of war; consequently, at present we only felt the calamities of war, and the dangers of peace were overlooked and forgotten. But there must be dangers in peace, or else war would never be necessary, and no nation could ever be justified in running into it. Therefore, in discussing the question of peace or war, whether it was, that the nation being at peace, it was proposed to enter into war, or that, the nation being engaged in war, it was proposed to make peace, it was necessary that the dangers of peace in the one case should be enforced, for

this could be the sole justification of going to war—and in the other, duly considered, that the country might not be involved in greater danger than that in which it was placed in the state of war. For his own part, however sanguine his hopes, and however earnest his wishes had been at times during this war for peace, and he confessed that he wished as earnestly for peace as any man, yet he had never considered it as remarkably desirable, without the restoration of such a government in France as he had often expressed his wish to see established in that country; because, without this, he feared that any peace would be insecure and dangerous. The only ground that had been stated against this, was general declamation on the superior advantages of peace; that it was the least of two evils, and on the principle of *Pax potior bello*. Were he then to discuss the question, his attention would be directed as well to the dangers of peace as the evils of war, that the statement might be fair, and full grounds given upon which to decide. But he would not at present go into this point. The question of peace or war was properly the business and the function of the Executive Government; at the same time, the right of the House to examine into the conduct of the Executive Government, to superintend its measures, and to give its advice, no person would or could dispute. But there was a fair question for discussion in the House, before it consented so to interfere; whether or not its interference was expedient, proper, and justifiable? If the existence of an important crisis alone were a sufficient reason for this interference, and for adopting measures of the kind now proposed, the House might be in a perpetual Committee; not a battle fought, nor a treaty concluded, nor the desertion of an ally, but might be made the ground of a motion for the House resolving into a Committee on the state of the nation. It might be continually giving its advice to the Executive, and, in short, the Government would be in a constant commission. To justify such a motion, there not only must such a crisis exist, but some probable ground must be given for inferring that the Government would not act wisely; and this could only be done by proving that there had been a delinquency in its previous conduct. But even this would not be sufficient to authorize such an interference as that now proposed, because, as the removal of Ministers would follow its adoption, it must be proved, that the delinquency was so great as to require their removal, and that the crisis is so urgent as to require the interference of the House to effect this removal more speedily than the change could be effected in the usual way. The honourable gentleman had stated some grounds, on which he argued that confidence ought to be withdrawn from Ministers. 1st, That they

had judged ill of persons, both allies and enemies. 2d, That they had predicted falsely of events. 3d, That they had failed in taking advantage of important conjunctures, and of making the most of the means in their power. These points he would review, and lightly touch upon. Upon their judging ill of persons, he instanced first the King of Prussia; but he must premise, that except frequent instances were given, nothing ought to be deduced from a single disappointment. It was said that we subsidized him, and that he deserted us. True, we did subsidize him; but did we not receive at the time full compensation for that subsidy? We had subsidized Austria too. But had it not happened, that with the allies which we had had, and the subsidies we had given to them, though some of them, as in the nature of all human things might be expected, had proved more faithful than others; though some of them had from time to time deserted us, and others wavered, we had been enabled to weather every storm that had threatened our existence? Gentlemen talked loudly and insisted largely on their subsidies. They were continually talking of their money given. He thought that they might find some other more worthy subjects to dwell upon, in the exertions and in the spirit of the country, than its money. But had they not had their money's worth of assistance? Had not what money we had advanced to Austria been fully repaid by Austria? Gentlemen argued that many plans had failed, that success had not been proportionate to what was predicted: but success was never absolutely promised, and it never could be; for failure was incidental to all human projects or designs: if the success of our allies had not been so great as they might possibly have been, no argument of any weight could be deduced from this; and it ought to be recollected that the assistance of these very allies, Austria and Prussia, had saved us from great evils and dangers. The Emperor of Russia was adduced as another instance of the incapacity of Ministers to judge of characters, and a circumstance was stated relative to Malta, as if his being thwarted in obtaining possession of that island was the cause of his defection. He would not say, that the honourable gentleman had not as good information as any person could have, except those who, from their official capacities, must have the means of acquiring the best intelligence: but he certainly was most completely mistaken in this point; and this circumstance shewed how little even the best informed people might be acquainted with the private transactions and connections of the Executive Government, and also how cautious the House ought to be, of listening to or depending upon such statements; for if they did, it proved that very frequently they must fall into complete error. The next

instance given was that of Bavaria. Had the honourable gentleman read the last dispatches from Germany? if he had, had he not perceived that the Bavarian troops might have been the means of gaining a battle. And the importance of such a service as this, the importance of gaining a battle, was evinced by every part of the argument of the other side, which all rested, and was professed to rest, upon the adverse event of a battle in Italy. With respect to Russia, however, he must still observe, that surely we had received the full compensation of any subsidy we might have given to her. Only look at the last campaign; it presented to our view Italy delivered and rescued from the power and possession of the enemy, principally by the arms and exertions of Russia. (*A cry of Hear! Hear!* from the Opposition Bench). "Gentlemen call out, *Hear!* yes, hear: What is it that makes us so much lament the loss of the co-operation of Russia, but the recollection of the mighty and important services which she performed when she did co-operate with us? The honourable gentleman says, that Ministers have not judged better of their enemies than their allies; and here he comes to the theme of so many praises, the object of so much admiration, the subject of such warm and animated panegyrics, the First Consul! and with regard to him, he asks, if every person must not be convinced that Ministers sincerely repent and wish to retract, and would gladly efface from their own memories, and those of every other person, the abuse and invectives which they formerly lavished upon him? But I know of no invective of which I should repent. I say no other language was ever used but the serious and dignified language which honest and honourable men would use in speaking of his conduct? And how have subsequent events contradicted this language? It is said, that he was loaded with hard names. I always have understood, by hard names, some vague and indefinite terms common to all languages, which express only something indefinite and vague in the mind of the person who applies them; but have never heard any such names given to this First Consul. It is also said, that we have loaded him with abuse. If by this is meant the low language sometimes used by the vulgar, I have heard no such language used in speaking of the First Consul. But if, when it is said that invectives have been pronounced against him, if gentlemen mean those epithets applied to his conduct, and those terms which are necessary to express the fact, then I allow that such language has been used, and I neither repent nor will retract it. If I did, I should fall into the same error with the man who, having lost a pair of silk stockings, and wishing to advertise them, thought that he would be likely to recover them at less ex-

pence by advertizing them as worsted. I despise, and cannot describe such things in the silken language, when the plain worsted only can positively describe it. I reprobate such fastidious, womanish, affected delicacy, as if a man "could not mention Hell to ears polite."—Am I speaking of a man who has desolated Europe?—who has excited the indignation of every virtuous mind by his crimes—who has pillaged and plundered Italy, and must I affect not to speak of his crimes, his outrageous violence, of his former conduct in Italy as pillage and robbery? Would gentlemen have me to be afraid of distinguishing the conduct of Bonaparte by the terms in which alone it can be described; like *Scrub* in the Comedy, who, thinking there were thieves in the house, began by calling them the thieves that were in the house; but, under the impression of terror, corrected himself, by calling them the honest gentlemen who were robbing the house. I must allow that this man has great talent, of some kind or other; he has proved this, to our misfortune. I say of some sort or another, because his military talents cannot be denied. But, at the same time it must be remembered, that military successes must be judged with some reserve, as they frequently are as much attributable to fortune as to talents." Besides, Mr. Windham stated it as his opinion, that the campaign of Suwarrow in Italy might be compared to any other campaign, even this so celebrated one of the First Consul. He must however allow that there was enough formidable in this man to give alarm to Europe. The moderation and magnanimity of his measures since he came into power had been much insisted upon. The motives of his conduct were in his own mind, and he never would deny that he knew the way to his own ends. This it was that rendered him so formidable. But gentlemen who were so indignant at the invectives pronounced on their favourite, the First Consul, and the enemy of this country, it would be recollected were not themselves so very mealy mouthed when they chose to censure the closest allies of this country. When they spoke of Prussia, of Austria, and of Russia, they themselves did not spare abuse, nor did they shew much tenderness when they spoke of gentlemen who stood in the situation in which he stood.

Among other arguments, gentlemen had contended, that it was impossible that the present Ministers could make a peace with the French Republic; undoubtedly, in other words, that they could not enter into a system of fraternization with the present Rulers of that country; and it was inferred from thence, that the peace must be disadvantageous, because Administration would not look to it as an object which was desirable for the country, but as the lesser

of two evils. The extent to which gentlemen pushed their arguments upon this subject appeared to him rather extraordinary; did they think, that in negotiating for a peace all ideas of precaution were to be laid aside, and that Government were to confine their views merely to a termination of the war, without any consideration of the permanency of the peace, or the security which it procured? Did they consider a treaty of peace with France as a treaty of marriage, in which one party could not doubt the sincere affection or the honourable intention of the other—in which the parties were to be indissolubly united with an identity of interest, and an unity of object—in which England was not only to give its hand but its heart? But if, for the reasons which had been urged, the present Ministers were not capable of making a peace, surely it became a matter of serious consideration, whether it would be more advantageous for the country that those persons should negotiate, who would at once, without precaution or security, jump into the arms of France, who would consider it as criminal to haggle about terms with the dear French Republic? In the course of their arguments, gentlemen had had recourse to one consideration which they very seldom omitted, viz. the sense of the people; and they had referred to the funds as a criterion of public opinion. The honourable gentleman who used that argument had made an admission, for which he thanked him; for he confessed that the funds would rise upon the prospect of a peace, even though that peace might be founded on terms disadvantageous to the country. If that was true, then they could not be considered as affording good grounds by which to judge of the real interests of the country. If, indeed, the honourable gentleman's arguments on this part of the subject were founded, then there would be reason to despond—then there would be some reason for the calumny which the enemy had insolently thrown out against this country, viz. that we were a nation of shopkeepers, and that we would at any time sell our most valuable interests for a profit of 2 per cent. It was not by acting upon such narrow principles as these that the French had risen to their present power, and had become an object of so much terror to the gentlemen on the other side of the House. Those gentlemen weighed the conduct of the two countries by very unequal measures. They contended for the greatness of Bonaparte and of the French nation; but if they were great, it was not by the adoption of such conduct as that which was now recommended, that they became so. If they were in that situation which had been represented, it was because they were not driven into despondency by every reverse of fortune, nor gave up great designs because, in some instances, their efforts were unsuccess-

cessful. Gentlemen had talked of the commerce of the country; but did they suppose that the commerce was created by the present military and naval exertions of the country, or that it could exist without them? Most undoubtedly, if our commerce was not protected by our power, it would become an easy prey to our rivals. The honourable gentleman in the course of his speech had, rather unfortunately for his argument, asked how did King William preserve the confederacy of which he was the head? He would tell the honourable gentleman how he preserved that confederacy together: it was by adhering strictly to his engagements; it was, by not suffering himself to be driven from his purposes by the mere rumour of a defeat. But now gentlemen were at once for going into a Committee, without knowing the circumstances of that defeat about which they were so much alarmed, and without knowing any thing about the disposition or the resources of that ally which we were going to abandon. Gentlemen had always spoken of our allies as if they had been of no assistance to this country; but there was no man who considered the subject fairly, who would not admit that the advantages we had received from our allies were great, even though in every instance they might not fully answer our expectations. There was, however, upon this as well as upon many other parts of this subject, something very singular in the mode of reasoning adopted by the gentlemen on the other side of the House; for, in the first place, they had endeavoured to demonstrate the absurdity of attempting to keep any great confederacy together, and immediately after they considered the defection of some of our allies as a matter of charge against His Majesty's Ministers. Another accusation which had been made was, that Ministers had been mistaken in their predictions; now, in the first place, he did not recollect that any predictions had been made. His Majesty's Ministers had stated, that which was obvious to all the world, viz. that they were going to enter into a most arduous and doubtful conflict; but that they were about to enter into it with every advantage, from the number and discipline of the troops of our allies, and the skill of the Generals by whom they were commanded. Now, in such a contest one party must fail; just as when two men rode upon a horse, one must ride behind; but no predictions were made, though great expectations might have been formed, from the advantages we possessed. Gentlemen, however, judging by the event, now contended that the Austrians must have been defeated; but he did not recollect, that before the event they hazarded any prediction of that kind: they had, indeed, declared generally against the war, and now laid hold of these reverses, which they

had not foreseen, to prove the wisdom of their observations. His Majesty's Ministers knew as well as the gentlemen on the other side of the House, that such a contest could not be conducted without danger; but the question was, whether they had not taken every means which human prudence could suggest to prevent it? Allusions had been made upon this occasion, as well as upon many others, to the negotiations at Paris and at Lisle. His opinion respecting them was but of little consequence, it could have but little weight in the Councils of the country; but surely those very negotiations were a proof that Ministers were willing to enter into a negotiation whenever they saw there was the least probability of effecting an honourable peace for this country; and they shewed that Ministers did not think that any such opportunity now presented; or they would not have neglected it. He would, however, state, with respect to those negotiations, that if ever, during the progress of the present war, this country was really in danger, it was at the period when they were carrying on; it was, that the enemy would have acceded to the terms which we then proposed. He was firmly of opinion, that if we had made peace at that time, with the general despondency which then prevailed, but which subsequent events had fortunately dissipated, they would not now be sitting to discuss the state of the nation. Gentlemen recommended Ministers to enter into a negotiation for peace, with a confession that they were unable to carry on the war; but surely every rational man must admit, that a peace concluded under such circumstances must destroy the interests and dignity of the country. The present war had upon this and upon former occasions been compared with the American war: but he did not see how two wars could be well compared together, or how gentlemen could argue from the past events of one, to the probable events of another. The honourable gentleman had stated, that the present war, like that with America, was founded in delusion, had been conducted without ability, and would end in defeat. There was, however, one point in which the two wars were similar; and that was, that they both were civil wars, in which men for the first time learnt to wish well to the enemies of their country. He was ready to confess, that he was a well-wisher to the Americans (*there was a cry of "Hear! Hear!" on the Opposition side*); he begged to observe to those gentlemen, that if he wished success to the Americans, they had been our fellow subjects; they were, he might almost say, our countrymen: their object was not the complete destruction of this country. He confessed, that during the American war, he thought the success of the Americans essential to the interests of this country; and he

begged leave to ask the gentlemen on the other side, if they now entertained the same sentiments with respect to the French? Upon the whole, the question for the consideration of the House was, whether there had been laid before them sufficient grounds to induce them to go into the Committee now proposed, and to interfere with the Executive Government; they would have to consider whether, after the event of the negotiations at Paris and at Lille, they ought not to be very cautious how they entered into negotiations with such an enemy. It appeared to him, that no sufficient ground had been laid down for the interference proposed, and therefore he should give the motion his most decided negative.

Mr. NICHOLLS said, the present motion did not interfere with the Executive Government; but the question was, whether, after eight years of unsuccessful war, we were still to persevere without the prospect of better fortune? He confessed, that he had hopes that the good sense of some of His Majesty's Ministers would lead them to disavow the principles laid down by the Secretary at War. He felt confident, that the wisdom of two of the right honourable gentlemen opposite to him, viz. the Chancellor of the Exchequer and the Secretary of State, would induce them not to persevere in a contest which they must now feel to be hopeless. He then proceeded to take a view of the causes of the French Revolution, which he admitted to have arisen from French philosophy, and contended that the object of those who brought about that event was, not the acquisition of territory, but to introduce that degree of equality of situation which would give scope to the energy of the French character. But if the French Revolution was owing to French philosophy, it was to the doctrines of Mr. Burke that he should attribute our being engaged in this war. That gentleman and his disciples thought it was their interest to reinstate the Noblesse of France, which had been very improperly compared with the Nobility of England; for the latter had no powers that were injurious to the community. If the doctrine which had been laid down during this debate, of the necessity of continuing the war till the old Government of France was restored, was not contradicted, then the public would know that they were engaged in a *Bellum Internecinum*, and that for an object in which their interests were not concerned. He looked upon the establishment of the old Government as an unattainable object; he believed it was the only thing which Bonaparte could not do. The character of the English people had suffered by their inflexible perseverance in the present war; and even their allies the Germans had said, that the English had covered Germany with blood and gold. He trusted, we should not continue to de-

serve that character, but that we should now seriously endeavour to restore a general peace. He had seen the terms upon which Bonaparte was formerly willing to treat with this country in the preliminaries of a peace. Talleyrand, the French Minister, had permitted them to be written down; and if Ministers wished for further information upon that subject, a gentleman of character was willing to attend them.

Mr. WINDHAM said, the honourable gentleman had expressed a wish that the doctrines advanced by him (Mr. Windham) should be contradicted by the rest of His Majesty's Ministers. He would give that gentleman the satisfaction of contradicting them himself; at least such as had been put into his mouth, but which he had not in any part of his speech uttered.

Mr. W SMITH explained.

Mr. HAWKINS BROWNE agreed with Mr. Wilberforce in wishing that Ministers should make no avowal of the terms upon which they would make peace, or of their future plans of conduct; but he, as a private Member of Parliament, might avow what he had done upon many former occasions, that he never would support this war, if he thought any change in the government of France were the object of it. He had supported it throughout as a war of self defence; nor could he allow it to be stiled an unnecessary or unsuccessful war, without entering his protest against both these opinions. He asserted, that Ministers had taken all possible methods to avert the war, from the commencement of the French Revolution in 1789 till February 1792; and that never was any Administration more desirous of preserving peace: documents lately published, and every new investigation of the subject, had fully proved this assertion. He was confident that they had lost no opportunity of making peace, as they had shewn so great a disposition to it in two negotiations at Paris and Lisle: any further overtures were more likely to retard than promote peace. He enlarged more upon the success of the war. We had a most powerful enemy to contend with, who exhausted all the force and all the property of a most brave and formidable nation, to conquer or depress and plunder every country in Europe, and to raise dreadful insurrections against every legitimate Government. We could only form a faint idea of the horrors plotted here, by the crimes actually perpetrated in Ireland. We had been successful in the preservation of our domestic tranquillity; we had been successful beyond all other wars, and even beyond any period of peace, in the security and increase of our commerce, and in the support of national credit: but he was sure the English spirit was not so degenerate, that the House would hear

him with patience describe a war as unsuccessful, in which we had defended our lives, or secured our wealth. He would contend, that the glory of this country was never raised so high as it had been in the whole course of this war by our naval triumphs; nor had our Generals failed in acquiring their share of honour. If we had been unsuccessful, it was in the choice of allies, and in part of their conduct which we could not controul. An honourable and lasting peace must be the wish of every man in the nation; but a vote of this House to force His Majesty's Ministers to make peace, must be laying ourselves at the feet of the enemy: it must be that in any war; but could never be so mischievous or so absurd in any war as the present; because we never had so implacable and ferocious an enemy, and because we were never more able to support a war in our just defence, from the height of our public credit, the immense number of our soldiery and seamen, their distinguished and experienced valour, and the universal spirit of a free and loyal people.

Mr. BUXTON said, he should oppose this motion, because no satisfactory ground had, in his opinion, been stated in favour of it. The only information the House had before them was, that of newspapers, which were certainly not sufficient to justify the House in going into a Committee. There was no doubt but the Ministers must be anxious to obtain a peace, if it could be done on terms consistent with the honour and safety of the nation; and he trusted there was not an Englishman who would not rather die in the last ditch defending his country, than submit to any other terms.

Sir E. BURDETT JONES, in supporting the motion, took a hasty view of the conduct of Administration with respect to Ireland, the state prisoners, and the general plan of the war. The enormities and cruelties committed in the sister kingdom, he said, exceeded any thing done by Nero or Caligula; and the hardships to which the state prisoners had been subjected, were in many instances unexampled in any reign. These were grounds for going into a Committee. If again the House would consider what had been the fate of the successive expeditions undertaken against the enemy, an additional strong ground would be furnished for agreeing to the motion. All the expeditions, from that to Quiberon to the one to the coast of Holland, had failed. These were matters for a Committee. Being of opinion, therefore, that good grounds existed for inquiry, he would just add, that it might be a very politic and necessary consideration in such a Committee, how far it would be proper to address His Majesty, requesting him not to prorogue the Parliament in the present situation of public affairs.

Mr. ELLISON could not support the motion. It appeared to him, that gentlemen were willing to give up the country to the enemy, and abet and support treason. He voted in the pure spirit of independence, but could not help thinking that many of those who supported the motion spoke the language of party.

Mr. HOBHOUSE.—“ Sir, the honourable gentleman who spoke last has been pleased to impute to those who support this motion a strong degree of party spirit, and would wish to make the House believe that we have not the good of the public at heart: but I disdain to answer such ill-founded charges, and shall only appeal to the honourable gentleman himself, and ask him, whether it be quite consistent with liberality of sentiment to make such unwarrantable accusations, and what he would think of my friends and of myself, if, with no greater support in fact, we were to assert that he and the other adherents of Administration were actuated by none but private and selfish views. Would he not spurn with indignation the unmerited charge? If he would, he can judge of the emotions which he has raised in my breast.

“ Sir, the present question appears to me to admit the greatest latitude of debate. In shewing the propriety of a motion to take into consideration the state of the nation, I might enlarge (I speak it with submission, Sir, to your authority) upon the population, the revenues, and the resources of the country; (the Speaker bowed his assent) indeed, I know not a single public question, which seems to be excluded from this debate. Let not the honourable Member then imagine, that he silences my honourable friend, the worthy Baronet, (Sir F. Burdett Jones,) by stating that the treatment of the prisoners in Cold Bath Fields is irrelevant to the present subject. The administration of justice is a most important national concern, and deserves the serious attention of the Legislature. I do not, however, Sir, at this late hour, purpose to bring forward all the topics which this motion comprehends. I will only select the most striking and the most impressive, lest I should be induced to enter upon too wide a field of discussion.

“ My honourable friend (Mr. Western) who is justly entitled to the thanks of the House, and of the country, for having proposed to Parliament, at the present awful crisis an inquiry into the state of the nation, has confined his observations to the unhappy war in which we are engaged. I shall imitate his conduct, and speak with the same limited views. Is it not of the utmost consequence to ascertain the object for which this disastrous war is thus long continued? Do we know for what inducement so many bloody battles are fought, and such masses of treasure are expended? The

right honourable gentleman (the Chancellor of the Exchequer) whenever that question has been put to him, has always answered, "I will tell you in a single word; it is for security we fight, and for that alone." Although such a reply may satisfy *some* gentlemen, it will not content me. Security is a loose and vague word, unless we be informed in what that security consists. Upon that subject the ideas of the right honourable gentleman have appeared to be extremely fluctuating. In the year 1793 Lord Hood, after the taking of Toulon, published to the inhabitants of France, that England wished only for the re-establishment of the limited monarchy, which had been formed in 1789. The Prince de Saxe Cobourg, about the same time, announced to the French nation, that his imperial master would guarantee the Constitution of 1789, which "the people had chosen for themselves;" but in three or four days after the date of this proclamation, he was ordered to retract the declaration, and state that he should not consider it as binding. This alteration of conduct is generally attributed to the Congress of Ambassadors from the allied powers, which was assembled at Antwerp, and in which British Councils are supposed to have had the ascendancy. At the close of the year 1795, our security was no longer placed in a limited Monarchy, but we had no objection to the new Constitution, then in its infancy, even in its cradle, scarcely five weeks old. We cared not for its probable instability; and we entertained no abhorrence for a government, consisting of a Council of 500, a Council of Ancients, and an Executive, composed of five Directors, all of whom, or at least the greater part of whom, had pronounced sentence of death upon their royal master, and stained their hands in his blood; but on the contrary, thought it "capable of maintaining the accustomed relations of peace and amity." But how is the scene again changed! No longer the Constitution of 1789; no longer the Constitution of 1795; but the *ancien régime* of France, with the sceptre in the hands of a Bourbon, is our favourite object. Sir, I hesitate not to allow that Ministers have admitted a possibility of such an order of things in France, that they may be compelled to treat, without waiting for the restoration of the Bourbon family. This weakens not my argument. It is enough for me, that to replace that line of Princes upon the throne of France, and to invest them with the same despotic powers enjoyed by their ancestors, is the avowed object of our preference. Is it not made the *sine quâ non* of immediate negotiation; and is not this condition alone pointed out as capable of removing all obstacles to negotiation? If then Ministers have never seemed to be long agreed upon that form of French government which

would place the English nation in a state of safety, but have professed attachment to Constitutions so very different from each other, is it not of the highest moment, is it not of the most urgent necessity to enter upon an investigation of the actual object for which the country is condemned still to suffer the calamities of war? Should it appear that there is no other motive for the prosecution of the contest, than a desire to repress the grasping ambition of France, and reduce her power within certain limits, then a question will arise, which it may be difficult for Ministers to answer, namely, why they rejected within the space of a few weeks, two successive overtures of pacification which seem to have been made in the very spirit of conciliation; for how could they know that Bonaparte, had they heard his terms, would not have offered such as were not incompatible with the security of the other European nations? How could they know that he would not have resigned some of that territory which the victorious arms of the enemy had acquired for the Republic? Or, should it appear that we are at war merely to check the prevalence of opinions which are deemed hostile to religion and virtue, and subversive of social order, then it will be proper to inquire how far force is likely to succeed against principles, and whether violence have not a tendency to accelerate rather than impede the progress of those tenets which we hold in detestation. But should it be made manifest that the old regal tyranny of France, in the race of the Bourbons, is the real ground for continuing the war, then it may be asked, whether we have not as much to dread from the ambition of the Bourbons as from the love of dominion in Bonaparte? whether they and the other Princes of Europe have not been guilty of fraternization, and of exciting the people of a country against their rulers, as much as Bonaparte and the various Governments of France since the Revolution? and whether they be not as little to be depended upon for the observance of their engagements as the "faithless and perfidious monster, Bonaparte?"—[A general cry of "Hear! Hear! Hear!" from the Opposition side of the House.]—These, Sir, are some of the numerous points of inquiry which a Committee upon the state of the nation would necessarily have to propose to its consideration.

"It is also, Sir, indispensable to examine our means of prosecuting the war, and for this purpose to compare our past and present situation. On this topic my honourable friend (Mr. Western) has expatiated a great deal. After his plain, perspicuous, and manly statement, I need say very little; but by way of reinforcing what he advanced, I cannot refrain from shewing, by a reference to indisputable documents, how much our condition on the 24th of Sep-

tember last is deteriorated. We find His Majesty on that day, under the advice of his Ministers, according to parliamentary language, exulting in the triumphant posture of public affairs. We find him anticipating "the glory of restoring the religion, liberty, and independence of the United Provinces, so long in intimate union and alliance with this country." What has been the result? The remains of a large and powerful army were obliged to capitulate for their safety, and solicit permission to quit the coast which they had invaded. The authors or conductors of the enterprize; instead of glory, have incurred disgrace; and, instead of rescuing those provinces from the yoke of France, have, by the very failure of the attempt, fixed them more firmly in her interest. We also perceive His Majesty making the following declaration in another part of the same speech:—"While you rejoice with me in the events which add so much lustre to the British character, you will, I am persuaded, as cordially join in the sentiments so justly due to the conduct of my good and faithful ally the Emperor of Russia; to his magnanimity and wisdom, directing to so many quarters of Europe the force of his extensive and powerful empire, we are in a great degree indebted for the success of our own efforts, as well as for the rapid and favourable change in the general situation of affairs. I have directed copies to be laid before you of those engagements which have *consolidated* and *cemented* a connection so consonant to the permanent interests of my empire, and so important at the present moment to every part of the civilized world."—Now, Sir, what has been the fate of this connection thus *consolidated* and thus *cemented*? The mighty fabric has, in the course of a few months, crumbled into dust. "The rapid and favourable change in the general situation of affairs" is ascribed, on the 24th of September 1799, "to the magnanimity and wisdom of our good and faithful ally, the Emperor of Russia;" this *faithful* ally has since withdrawn himself from the confederacy, and as *rapid* a change for the worse has taken place. Nay, if report speak truth, our *faithful* ally has discovered some hostile disposition towards this country, and is about to form, as my honourable friend (Mr. Western) has stated, an armed neutrality of the northern powers. In the same speech, which I have more than once quoted, His Majesty also says, that "the deliverance of Italy may now be considered as secured by the result of a campaign, equal in splendour and success to any the most brilliant recorded in history." What is the sad reverse! in how short a space of time is that country, whose *deliverance* from the French yoke was thus *secured*, again in possession of the First Consul—I say again in possession of the First Consul; for since

the battle of Marignano, most of the strong places have been surrendered, and all Italy lies prostrate at his feet. Perhaps at this moment we may not have a single ally left; for it is highly probable that preliminaries of peace between Austria and France may have been signed. Can the right honourable gentleman think that "the splendour and success of the last campaign, equal," as it is said to be, "to the most brilliant recorded in history," will be more admired by posterity than Bonaparte's plan of the present campaign, his expeditious march over the Alps, and his complete overthrow, in the course of a very few weeks, of the whole Austrian force in Italy? Will the fame of Suwarrow eclipse the renown of Bonaparte? But, Sir, let us also compare our present disastrous condition with the prediction of the right honourable gentleman (Mr. Pitt) on the 3d February last: he then declared in this House, that "we had every reason to expect a co-operation on the Continent in the course of the present year, even to a greater extent than in the last campaign." I have shewn, Sir, what ill-founded hopes he has cherished in himself and in the nation. The right honourable gentleman asserted on that day, that "there were the strongest marks of a disposition, in the interior of France, to active resistance against this new tyranny." How has this spirit of royalty vanished into air! We have fomented, in every possible way, disaffection, in the western provinces of France, to the existing Government; we have supplied the Chouans with arms and with money, the latter of which amounts to a considerable sum, as may be proved by documents upon your table; but instead of making use of your supplies against Bonaparte, they made their peace with him, without striking a blow, and thus you have furnished the enemy with weapons against yourselves. Sir, it is painful, it is extremely painful, to dwell upon the continued failure of our schemes: I will only ask the right honourable gentleman in his own terms, whether he be now so confident as in February last, "that Great Britain is likely to prove the instrument of delivering the world from the crimes and *miseres* which have attended the French Revolution?"

"Other highly-important considerations, Sir, might be submitted to such a Committee as is the object of my honourable friend's motion. Might it not be inquired, whether we had not embroiled ourselves too much in affairs of the Continent? It was the policy of wise statesmen in other times, that England should never interfere in Continental wars, except when the general interest of Europe absolutely required, and that she should always remember to act, not as a principal, but as an auxiliary. This was a sound opinion, and founded on the security we derive from our insular situation.

But the present administration seem to have disregarded the sage maxims of our ancestors. Austria and Prussia first engaged in the war against France. We followed as auxiliaries indeed; but soon we placed ourselves in the front of the battle, and have ever since continued to take upon ourselves the heat and burthen of the day. In short, Sir, we have been the packhorse and paymaster of Europe. Is such conduct justifiable? If it be desirable that the power of France should be reduced, if there be any danger from the ambition of her rulers, who has most to fear, the powers upon the Continent, or these kingdoms, protected as they are by the ocean? If we be apprehensive of the inroads of Jacobinical opinions, and it be allowed, for the sake of argument, that arms are capable of making effectual resistance, are not the European states, from their contiguity to the territory of France, and from the nature of their governments, more likely to be over-run by them than ourselves? If nothing but the restoration of the old Monarchy and the Bourbon family can re-establish the general tranquillity of Europe, who, during the interval, supposing the object to be practicable, are most likely to be sufferers by the contest—those whose country may be made the seat of war, or ourselves who possess, and may continue to possess, the sovereignty of the seas? If it be said that Austria, our only ally, (if she yet be such,) may be able to bring men into the field, but has not the means of paying them, then let it be considered, that the Emperor of Germany, after he had broken the treaty of Campo Formio, made the most powerful exertions against France, without the least pecuniary assistance from any quarter whatsoever. Will it not therefore be right, Sir, to discuss the propriety, in a Committee upon the state of the nation, of subsidizing foreign Princes to fight battles in which they are infinitely more interested than ourselves?

“ Having touched, Sir, upon the subject of subsidies, I cannot help suggesting, even at this advanced hour of the night, that this House ought to be informed, whether the Court of Vienna have performed the engagement it has contracted with England. It is well known that the Emperor of Germany borrowed of our Government 4,600,000*l.* in the year 1795. Gentlemen have no occasion to be told, that, by the conditions of that loan, his Imperial Majesty stipulated to pay the interest regularly, and to invest 60,000*l.* annually in our funds for the redemption of the principal. Has his Imperial Majesty ever paid a single shilling in the shape of interest? Has he ever purchased any stock whatever for the purpose of gradually extinguishing the capital? The House is also aware that a convention was made in the year 1797, by which our Government

lent the sum of 1,600,000*l.* to the Court of Vienna. Words cannot make it clearer that this sum was advanced as a loan; yet the Emperor, until very lately, contended that it was no more than a subsidy, contrary to a language the most unambiguous, and incapable of being misunderstood. He quibbled; he made use of every subterfuge and evasion for a considerable time. On the 17th of February of the present year, the right honourable gentleman acknowledged that he had just received intelligence of the ratification of that convention, which ought to have been signed above two years before. This long interval the Emperor consumed in dishonourable cavilling, and at length consented to allow the debt which, in fairness, he never could have denied. He consented to own himself a debtor to England in the amount of 1,600,000*l.* on condition of receiving a *bonus* in the form of subsidy of about 2,000,000*l.* He was bribed into an act of honesty.

“The inquiries, Sir, which I have proposed, are of primary importance, and demand, in my judgment, the attention of a Committee of the whole House. In no other way can they be thoroughly sifted and examined. If the result of a full investigation of these and other topics, which will naturally present themselves, should prove unfavourable to Ministers; if they should be convicted of carrying on the war for an object deserving of the most marked reprobation; if it should appear that they are men bold in design and impotent in execution, who, by a uniform series of miscarriages within a few short months, have brought their country into so perilous a crisis, that scarcely a ray of hope pierces the thick gloom which hangs over our heads; if they have violently and disdainfully rejected the pacific overtures of Bonaparte, twice proposed in terms the most decent and respectful, upon flimsy pretences which lead to eternal war, such as the probable instability of a government, and the insidious character of its first magistrate, [A general cry of “Hear! Hear!” from the Opposition benches,] then, Sir, that Committee will have but one measure to adopt, namely, to present an address to His Majesty, praying him to dismiss from his councils his present weak, rash, and inefficient administration.”

Colonel HELEY ADDINGTON observed, that one topic dwelt on shortly by the honourable member who had just sat down, particularly drew his attention. It was stated, that one object of the proposed Committee was to ascertain the object of the war: and to do this, it would be necessary to review the whole of its history, and not only to call to the bar the right honourable gentleman on the floor, but also all his Majesty's cabinet. Those high characters must be asked separately what the motives were which led to

the war in its origin, and what the causes that occasioned its being continued. For his part, he was averse to every proposition which drew into controversy the purity of those motives which led originally to the war. But the chief ground of the present motion appeared to be, the supposed reverses in Italy. Now he did not mean to deny that losses had been sustained by our allies in that quarter: yet, surely, gentlemen would allow, that it was incumbent on the House of Commons to know precisely the extent of the losses of our allies, their temper, and means, before coming to a vote which might have the effect of creating jealousies or exciting alarms. How stood the fact as to Italy? There was no doubt that the enemy had obtained a victory; but if the convention with Melas was recollected, it must be obvious to gentlemen that, having stipulated for the forts of Piedmont, he had taken the strong line of the Mincio, and was probably in a condition to maintain himself, with Mantua, &c. to support him on one side. But whatever was the real situation of our ally in Italy, it would ill become us to despond. With respect to the assertion, that peace was the general wish of the country, he would remind gentlemen, that in the time of the American war the table was crowded with petitions for peace, whereas not a single petition was before the House at that moment for such a purpose. Being of opinion, therefore, that no strong case was made out, he should consider it to be his duty to oppose the motion.

Mr. SHERIDAN—"Sir, I have listened with very great attention to the several gentlemen who have this night addressed you on the present question; but, except the honourable gentleman who has just sat down, I have not heard one member who has met the question fairly. He has said, that if my honourable friend had made out a strong case, he would not have strenuously opposed him. Now, Sir, I must be permitted to say, that I think a peculiarly strong case has been exhibited, and has been supported. Those gentlemen who would not be detained by any grave and patient examination of the question, those who appeared on all occasions eager to skip over the most important interests, and the most sacred rights, had assumed two grounds as the basis of the present motion. One of these was peace; and the other the dismissal of His Majesty's Ministers. That peace should be an ungrateful found in a British House of Commons, was ominous; but that the dismissal of Ministers was to be stoutly resisted, could not at all surprise those who knew how much depended on the possession of place and the enjoyment of pensions. But what was the motion of his honourable friend? Why no more than that as there existed a new and extraordinary crisis

of the war, of the country, and of Europe, it was assumed to be incumbent on the representatives of the people of England not to go back to their constituents unable to answer them on the most momentous of all inquiries—"What is the state of the Country?" The motion seeks to appoint a Committee to inquire into the state of the nation. What effect this Committee will really have, it is not easy to conjecture. I wish it to be appointed, because I am solicitous that the House should be found collected, in case of arrivals from the Continent, so as to advise the Crown on the circumstances of the war. In point of fact, the motion differs not materially from the one I had myself the honour to bring forward the other day for a call of the House. And surely no honourable member who valued the Constitution—who considered the actual situation of the country—who knew any thing of the state of Europe, will be in haste to deny, that never was there a crisis more important than the present—never a period when it was more necessary that the constituents of the people of England should be collected—should look fully in the face of the impending danger—should try their honest patriotic strength—should make their firm but respectful appeal to the throne, on the distressed and frightful situation of the country. The principal object of the motion, if adopted, is, however, to appoint a Committee, in which an address shall be moved to His Majesty, praying that His Majesty will be pleased not to prorogue the Parliament in the present conjuncture of public affairs. It will be seen presently whether too much is asked by that motion. A gentleman who spoke early in the debate observed, that the salvation of the country depended on the result of the discussion of this night. I do not know how far it is true, that the safety of the country is in strictness involved in the debate; but I do know that the character of the House is most peculiarly implicated. We simply desire that a Committee shall be appointed to consider of the state of the country; we do not propose that the Minister shall be dismissed: we propose no change of men or of measures, but leave every thing, except the appointment of a Committee, to the future decision of Parliament. Thus then, if the motion is rejected, gentlemen will refuse an inquiry, which it is most certain the general affairs of this country and of Europe render absolutely necessary; and which it is necessary to adopt if the character of the House of Commons is to be at all times respected. The honourable gentleman who spoke last says, that the intelligence respecting the defeats of the Austrians has come to us wholly through the French papers. I own that this is the source of intelligence to the English public. But what signifies a fastidious jealousy of the

truth of French statements. It is not in the nature of human genius to alter the great and decisive events of the campaign. We are told that it is only the event of a single battle on which we dwell so much. I grant that it is no more. But, Sir, is that light matter which is connected with the result of the single battle of which gentlemen affect to think so meanly? Do gentlemen know, that by that battle, France got possession of more power than she ever did possess; that the result of it was to give to the victorious General a more extensive dominion, a wider scope of territory, than was ever before possessed in consequence of any single battle. Never since hostile armies have met in the warlike plain, have so many strong places, some of them the strongest in Europe, been given up to the victor. Sir, the success of the enemy dazzles ordinary men, and even leaves not the means to men practically conversant in the science of war, of analysing the elements of those vast and profound plans which led in the execution of them to such unparalleled achievements, and so great an acquisition of individual glory. I trust that no honourable gentleman, I trust that no sagacious War Secretary will hereafter think of denying that Bonaparte is a master in the art of war. The line of territory possessed by the Austrian General, and which gentlemen appear to consider so advantageous to the allies, is just that line which the conqueror pointed out. Melas was beaten; Bonaparte admitted him to a convention. The strong places of Italy are given up. But it is evident, that the Austrian army was indebted to the magnanimity of the conqueror for the terms (apparently so moderate) on which his hostilities were suspended. We are told, that it is but the event of one battle we have as yet to dwell on. I admit, Sir, it is only one battle; but in my mind a more decisive battle was never fought. What! shall you wait until a second battle and a third has been fought! Shall you wait until Kray has lost a battle, until a first and second battle have decided the fate of Germany? Perhaps, Ministers, acting on official dispatches and in the closet, do well to wait; but the House of Commons, knowing how crying is the necessity of the people, will do right immediately to commence an inquiry, which is to enable it to judge distinctly and accurately of the real situation of the country. However, Sir, we are reminded that it is not at this moment as it was towards the close of the American war. We are told there are no petitions on the table. This is bold language. But do gentlemen forget that at the time of the American war, bad as was the system, the people could meet, and could petition Parliament according to law? whilst in our duty, that country from which this House derives its existence, is not at liberty to meet by its in-

habitants to petition Parliament against a cruel, oppressive, unnecessary and unjust war. Thus much with regard to petitions for peace. An honourable gentleman (Mr. Ellison) behind me, has talked this night, as his custom is on all occasions, of his independence. I think this a delicate topic. I do not like to hear so much said of one's independence on all occasions, and under every kind of circumstances. It is not any sign of a narrow spirit to refuse unqualified encomiums on such men. No moralist would think that virtue pure which was never to be exercised, nay, never recollected, without apparent exultation and an expression of singular enjoyment. The honourable gentleman who talks so much of his independence need not, perhaps, be told, that in this House independence is a marketable commodity. We have heard a great deal about confidence; but I own that I never knew it, before this night, made the exclusive ground of support of Ministers. We are told, there is no doubt of the country continuing to prosper; that we shall maintain our superiority; that Austria will recover her panic and her losses; that all the essential members of the confederacy, Russia, &c. are yet to be drawn cordially into the league. I believe not one word of all this. But what will the constituents of the right honourable gentleman say? They will ask, why do you believe in all these things? The answer is ready, because we have always believed, and because the Minister appears to wish that we should continue to believe. What was said of King William III. is curious. We are reminded, that the glory of that Monarch did not arise from his own talents, so much as from the success of his enemies. Now, Sir, if this had been really true, I know of no pair of characters that so strongly resemble as William III. and William Pitt!—The truth is, however, that the genuine glory of William III. grew up with circumstances of real danger, when the successes of his enemies tried his firmness; but when no measure of adversity could appal him; when, on the contrary, he bent forward his object with an undaunted spirit, and having collected the best troops, and possessed himself of the best resources of a people, he made the sword decide the fortune of his nation, and of Europe. William III. kept together coalitions, by his activity, his prowess, and his talents—all coalitions break down under the uneven and unwise system of the present Ministers. But the character of Bonaparte is at length to be rescued from the mud and mire of Ministerial abuse. The right honourable Secretary admits that that General does possess talents, nay, that he is a great man, and that France is a great nation. Wonderful concession! Bonaparte a great man! I own the honourable gentleman yielded the ad-

mission most unwillingly ; for at the moment it was made, one was reminded of the scurrility once so fashionable ; inasmuch that that concession was made in the style of a semi-bluster. The right honourable Secretary has, however, attempted an apology for all the tribe of those who abused Bonaparte. We were told this night, that abuse may be very equivocal and innoxious ; at least that it may only be something in which sentiment takes an interest, or which is to be appreciated by feeling. I own, that I am not quite enough of a metaphysician to pursue these topics minutely. But most practical readers in the science of human nature would be of opinion, that foul and gross epithets constitute abuse, if that abuse were not accompanied with the qualification of a Prime Minister or a Secretary at War. We were told that some one advertised worsted stockings lost, to find silk : a very pretty conceit ! but what more it has to do with a motion for an inquiry into the state of the nation than would a dissertation on silk-worms have to do with one on a Tiviot sheep, I must leave to the worthy President of the Board of Agriculture. As a figure it is wretched. I can understand a pair of bells on a fool's cap ; but I do not know what is meant by a pair of bells on a helmet : yet of the nature of this latter absurdity, is that metaphor of the silk and worsted stocking. With respect to peace, we have had something of an explanation. We were told by the honourable Secretary, that abuse might be justifiable ; but the right honourable the Chancellor of the Exchequer prompted that gentleman, and we saw the Secretary correct himself most remarkably, in consequence of the hint of the right honourable member. It appeared from the prompting, that gentlemen think that mutual abuse has never prevented a peace being concluded between powers at war. It may be true, that in many instances peace has suffered no material delay in this way. But perhaps the peace of nations has not been less disturbed than the peace of individuals. The honourable Secretary can well remember the time when his abuse of those near him, of the right honourable Chancellor of the Exchequer, of whom he was never unwilling to talk in contemptuous strains, who was mere Dowlas,—that that abuse did not at all preclude a peace, a most cordial and complete reconciliation. But, Sir, we are told that the motion of my honourable friend is unadvised and premature. All that we ask is, to go into the inquiry. My honourable friend has called on the House to pause, to look at the state of the country, and adopt proper measures to avert the common danger ; and, considering what is the state of Europe, is it too much to call on the House of Commons to act a part worthy of itself ? What we wish is, to shew that the reign of blind,

servile, and corrupt influence is over ; that new vigour has been infused into the Constitution ; and when we recollect, that the allies must know how much ought to depend on a House rightly constituted, I am far from thinking that the inquiry we propose would discourage our allies. The enemy would also see in such a measure something to cause hesitation. For, can it be supposed that Bonaparte, addressing his foldiers on the eve of attempting an invasion of this country, could use one topic with better effect, than that the same Ministers ruled who began and conducted the war. The people of England, indeed, must wish that the men who have brought the country to the brink of ruin may not always guide her affairs. Thus much then as to the effect the motion, if carried, would have on the spirit of the country. Do we hear that the funds have risen ; the prospect of peace is the cause. I own, that if Ireland or the West Indies were at all in danger, I should be alarmed ; but as they are not in danger at this moment, who can be certain that the contest shall not afford opportunities to the enemy of annoying those possessions. An honourable gentleman has said, that if we have sent money to the Continent, we have had an equivalent. I do not know what is here really meant. Is the blood of the brave Germans a mere matter of commerce ? But the fact perhaps is, that the placemen, pensioners, loan-brokers, and contractors have had an equivalent. With regard to the observations of an honourable member (Mr. Wilberforce), that Ministers would proceed with the work of peace whenever circumstances would allow, and that they wished for peace, he could only remind the honourable member of the transactions of 1795, when the honourable member, by an amendment to a motion then made for peace, actually pledged the Minister to negotiate. We have heard from the same gentleman of the wisdom and integrity of administration. But whatever was the wisdom and integrity of the Ministers then, they appear to be much reduced in their stock of both at this moment. We were told, that in 1797, however, they attempted a sincere negotiation. This phrase was merely a trap, and several have been caught in it. War went on. No sincere efforts were made to stop its progress. A loss of no less than 150,000 lives, and about 200,000,000*l.* are the effects of the obstinacy of Ministers on that occasion. We are told of sweet-hearting for peace ; that we must give the heart and the hand to make peace effectual. Now, Sir, I willingly admit, that we must be in earnest. But if they attempted a peace in 1797 with the regicide Directory, when the Emperor had signed the peace of Leoben, can it be, that they are in a worse situation at this moment. With regard to the objects

of the war, much has been said. The objects have been various. The last we heard avowed, was the restoration of the Bourbons. In 1797, we heard of nothing but religion and morality; but these were soon lost in attempts to negotiate with advantage for Trincomale, the Cape, and some other colonies. The last object of the war was pretty distinct; but even that is now disavowed, and we are told that Ministers only wish to carry on a defensive war. Offensive war is therefore given up. But if a defensive war be advisable, a Committee is the only proper plan to consider of the means and the mode of carrying it on. Again, it would be necessary to consider in the Committee what effect immediate peace would have on the commerce of this country. France must divide our commerce with us; whilst, on the other hand, if we continue the war, she will be able to raise a great navy, to which her situation and her resources so much adapt her. Under these circumstances, then, I think, Sir, I may with great propriety call on gentlemen to turn their minds sincerely to peace: let us seek peace cordially, with heart and hand; peace with reconciliation; such a peace as the two countries can bear, and as will be compatible with their mutual and joint security. There can be no security in a peace which gives exclusive advantages to one party. I then wish for peace; the country wishes for peace: yet if the right honourable Secretary is afraid of a tri-coloured cockade in the streets of London; if he is afraid that idle curiosity will take many persons to Paris, who might wish to introduce French fashions; or if he is fearful that persons possessing small fortunes will emigrate to France—while these are fit matters to be gravely considered, it ought also to be remembered that great and pressing evils accumulate with the war, which ought also to receive grave and weighty consideration. However it is not my intention to discuss the question of peace now in all its detail, though if it be put on the ground of security, if I know any thing of the meaning of that word, I am ready to support the war until it can be concluded with honour and safety. I shall trouble the House no farther with these topics. I think the motion of my honourable friend a truly good one, and with a thorough conviction, that if adopted by the House it will be attended with signal national benefits, I shall most cordially support it."

The SOLICITOR GENERAL commented upon the different objects which gentlemen appeared to have in this motion. Some wished for peace: others wished for a dismissal of Ministers: others, again, wished that it should be a Committee of vigilance, to watch the conduct of the Executive Government. He contended, that before they could act upon the latter principle, they must come

to a resolution that the Executive Government was unworthy to be trusted. If Government shewed a disposition to treat in 1797, why was it to be inferred that they did not now possess the same desire? but he considered the means as pointed out by this motion as disgraceful in the extreme: it was telling our allies that we regarded their interests only while they were successful; but that the moment they were unfortunate, we would negotiate without them, and leave them to their fate. But even putting the worst case that could happen, that we should be obliged to contend against France alone, that case would not be new to us; we had done it before, and we had found that our fortitude and courage were equal to the contest. Gentlemen, when they talked of the sufferings of this country, should recollect the sufferings and sacrifices made by France; there it was that we ought to imitate her; they had exceeded any thing which we had felt: and if they had borne so much evil with fortitude in a bad cause, what ought we not to bear to support our's? They had done wisely in that respect, and they were worthy of imitation. When gentlemen talked of the funds as a criterion of the wishes of the people, it was clear that they argued from a false criterion—what did they prove? They proved nothing more than that some men were so interested, that they preferred their private interest to the interest of the community. With respect to the general question, whether the conduct pursued towards France was wise and politic, that depended upon a view of all the events which had taken place. For his part, he declared, that he had never repented of the vote which he gave for the war; and the only regret which he felt was, that it was not sooner entered into; for, with respect to the aggression, there was sufficient grounds when France discovered what her principles were, and her designs against Europe. He had been asked what price we had been repaid for all that we had advanced? In his opinion the re-payment had been abundant—we had saved our Constitution; and we had maintained the same state of civil society. Sometimes honourable gentlemen censured us for going on without alliances; at other times they represented alliances as so many burdens; so, do which you would, they hung you up on one of the horns of their dilemma. He thought they had shewn no practical good which could result from the motion; and, in his opinion, instead of accelerating peace, it would tend to delay it, and to fetter the hands of the government in the prosecution of that object.

Mr. TIERNEY did not wish by any means to crouch to France for peace; but if ever a Committee to inquire into the state of the

nation was necessary, it was at the present moment. The confidence which had been reposed in Ministers, he thought, had been grossly abused. If it was a fact, that by the reasons which a few months back they had urged against entering into a negotiation with France, that House had been deceived, and precipitated into a determination to continue the war, Ministers had in that case betrayed their country, and deceived their Sovereign. The arguments which were then advanced by them in support of their projects had proved wholly fallacious; and the experience of facts which they required had proved of a most damning nature to their own cause. No one, he was sure, would now argue, that the relative situation of this country with France was so favourable at present as it was at the period of our refusal to negotiate. It was not a Committee of vigilance that was sought for; nor did he conceive it to be altogether right to call it by that name. What was required, was, a Committee to inquire into the state of the nation; a proceeding by no means novel in that House. If we persisted in the war without taking some precaution of this kind, we should have nothing to hope, and every thing to fear. He reprobated in very severe terms the practice of sending expeditions from this country, which, among the many evils attendant upon them, tended to increase the scarcity of provisions. In the event of the war being continued much longer, he feared much that the whole naval force of this country would not be sufficient to protect our possessions from invasion. He had no great apprehensions with respect to England itself; but the situation of Ireland he thought rendered its safety rather precarious. He condemned the measure of the Union, as having no tendency to conciliation, or to the removal of complaints. He admitted the prosperous state of our revenue at present, but attributed this prosperity to the disjointed state of Europe, which would cease on the conclusion of a peace; and hinted at the probability of an armed neutrality of the northern countries to oppose the views of Great Britain; which neutrality, if joined by America, might produce the most fatal consequences to our commerce, the great source of our revenue. He by no means wished to drive Ministers into a negotiation. On the contrary, he hoped they would not attempt any such proceeding; for he was sure they could possess no sincerity on such an occasion. From the whole of their conduct, he did not conceive it practicable for them to treat with success, and therefore he could not possibly give them his confidence. If Bonaparte sought revenge, he now possessed an abundant portion of it in the feelings and the humiliation of the British Ministers. After all

the scurrility and invective that had been lavished by them, the moment of their complete humiliation was at length arrived. They were, however, proud, and could not bring themselves to beg that peace which they had so lately refused from the hands of him whom they termed a Corsican Usurper, and to whose footstool they must necessarily crouch, if they should at any time become serious in their endeavours to terminate the war. Unless the House interfered, he declared to God he saw no salvation for the country. The inquiry proposed would, he doubted not, furnish ground of impeachment against Ministers, who had persuaded His Majesty, contrary to his nature and disposition, to turn a deaf ear to the cries of peace. He concluded by giving his hearty assent to the motion.

The House then divided, when there appeared,
For the motion, 27 ; Against it, 143.

LIST of the MINORITY

On Mr. WESTERN's Motion.

Adair, R.
Anfon, T.
Barclay, G.
Biddulph, R.
Bird, W. W.
Bouverie, Hon. E.
Burdett Jones, Sir F.
Coombe, H. C. (Lord Mayor)
Denison, W. J.
Hussey, W.
Jeffries, N.
Jekyll, J.
Lemon, Sir W.

Lemon, Col.
Milner, Sir W.
Mostyn, Sir T.
Nicholls, J.
North, D.
Plumer, W.
Ruffell, Lord J.
Ruffell, Lord W.
Sheridan, R. B.
Smith, W.
Tierney, G.
Tufton, Hon. H.
Walpole, Hon. Gen.

TELLERS,

Western, C. C.—Hobhouse, B.

HOUSE OF LORDS.

Thursday, July 10.

Mr. *Glover*, from the Customs, presented the following account of foreign wheat imported into the port of London from the 1st of January 1781 to the present time, distinguishing the imports of each year :

	<i>Quarters.</i>	<i>Bushels.</i>
1781.....	98,270	0
1782.....	4,635	6
1783.....	240,134	3
1784.....	36,966	5
1785.....	605	0
1786.....	—	4
1787.....	—	6
1788.....	4	5
1789.....	5,908	0
1790.....	67,032	0
1791.....	49,504	5
1792.....	7,065	5
1793.....	170,971	3
1794.....	19,654	5
1795.....	198,911	5
1796.....	477,877	6
1797.....	195,462	6
1798.....	152,449	0
1799.....	238,208	4

From the 5th Jan. to the 21st June 1800... 222,757 0

JOHN GLOVER,

Pro Inspector of the Imports and Exports of
Great Britain.

*Inspector General's Office, Custom-house,
London, July 10, 1800.*

The order of the day for the second reading of the bill relative to foreign religious orders, or communities, lately settled in this kingdom, &c. &c. having been moved, the bill was read a second time. On the question for its commitment being put,

The Bishop of ROCHESTER rose and said, that he did not oppose the reading of the bill a second time, because at that period of the session it seldom happened that there was a very full attendance of Lords on their parliamentary duty ; and when the day for

the second reading of the bill arrived, those Lord who did attend generally took up the prints from the table but the moment before the order for the second reading was moved; they could not therefore be supposed to know what the nature and provisions of any bill were before it had been read a second time. The bill therefore having now been read a second time, he had a right to conclude that noble Lords were masters of it, and to proceed to state on what grounds he rose to oppose it, as a bill altogether unnecessary, dangerous, and unconstitutional, which he would do as shortly as possible. His Lordship said, in consequence of the most anti-christian persecution that ever history had instanced in a neighbouring kingdom, great numbers of the clergy of that kingdom, as well secular as those belonging to a variety of religious orders and institutions, had been forced to seek, and, seeking, had found, refuge in this hospitable, humane, and charitable country, whose Protestant Church made it the safe and sure asylum of the persecuted and oppressed at all times, and on all occasions. It would have been a degrading departure from the noble and truly honourable spirit of the national character, if we had not with open arms received under our protection such a body of unfortunate men as the clergy of France, driven from their native kingdom, their professional duties and establishments, by the fell rage of revolutionary and jacobinical fury. Much to their credit, since their residence among us, these exiles had conducted themselves inoffensively, and in such a manner as to warrant and entitle them to the protection they had received; he had not heard of any attempts on their part to fly in the face of the laws of the country, or to afford ground of jealousy or apprehension to the Government, by any designs to disturb its tranquillity, or by any steps to endanger its safety in its civil or religious establishments. He saw therefore no occasion for any fresh law to prevent or guard against mischiefs which were not even apprehended; or if there were any cause for their apprehension, they were amply provided against by the existing laws. His Lordship said, that in consequence of the grounds of alarm against Roman Catholics and Popery that have of late years gradually worn away in this country, its natural proneness to toleration, as far as it could be allowed with safety to Church and State, and the mild principles of our Protestant persuasion, and of the mind and government of the Prince upon the throne, and his immediate predecessors, several acts had passed for the relief of Roman Catholics from the severe penalties to which they stood exposed under the act of James the First, and the first of William the Third, and various preceding statutes; but that nevertheless the relief granted them in those acts was rather

confined to particular clauses of the particular statutes to which they referred, than to those statutes in general. All the penalties therefore enacted by former laws, which were not specifically repealed, were still in force against Roman Catholics; and it was expressly provided by the present bill, that every member of such religious orders and societies (as were mentioned in the preamble of the present bill) were still to remain and be deemed to be subject to the Alien Act in all its provisions, and to continue to be so deemed. What end then could it possibly answer to be making and passing a new, unnecessary, and nugatory law, when the existing laws, if duly enforced, were fully adequate to every purpose of prevention and punishment, if any attempt were made to provoke the vengeance of insulted laws? Even if those Roman Catholics who had profited by the relief afforded them by the 19th and 31st of the present King, did any thing disorderly, or that exceeded the specific relief thereby afforded them, they were liable to the penalties of the unrepealed penal statutes against Roman Catholics, and ultimately and in all cases subject to the disposal of the Alien Act, which referred equally to foreign Roman Catholics in this country and to His Majesty's natural-born subjects. The Bishop went into a minute historical detail of the various penal enactments against Roman Catholics which were to be found in the various statutes from the reigns of Henry the Eighth and Elizabeth, down to those of William the Third; and after pointing out such of them as were repealed by the acts of the 19th and 31st of the present King, stated what penalties still remained unrepealed, which from their nature and severity were sufficient to deter Roman Catholics from all the acts, from the performance of which they were specially restricted by this bill. He read a list of the several religious institutions that had taken up their residence in different counties of this kingdom, which he mentioned, four of which only consisted of male foreigners, amounting to thirty-one persons; and others of females, amounting to twenty-four. His Lordship said, that against Roman Catholics, natural-born subjects of the King, he knew of no laws that would apply; they had a right to reside here, provided they did nothing contrary to the law of the country. He said, there could be no danger in the nunneries, as they were now conducted, because those ladies who had been driven from the convents of France to England, took a house, or houses, in some county or other, and lived together in seclusion and conformity to their religious habits, customs, and ceremonies. Such people were generally persons of elevated families, well educated, and wholly unfit to mix with the lower orders and ranks of the people. They found relief, and founded their only satisfaction in the quiet performance of their religious duties, and in conformity

to the orders and acts of their institution. To turn out these ladies to mingle with people of fashion, and join in the dissipation and luxurious pleasures of modern times, would be to expose them to the severest martyrdom. They could not condescend to smear their cheeks with vermilion, to expose their necks and arms naked to their shoulders, and to dedicate their time to noise and revelry, either handing out cards at loo, or shaking dice out of a dice-box, and go through all the other practices of a fashionable rout. Living as they did, they lived happy and harmless; for surely no danger was to be apprehended from a number of old women living secluded in a house by themselves. As to their taking children to educate, he had been solemnly assured that they took only the children of Roman Catholics. He was glad, therefore, that they had come to reside here, because he had ever considered it as a cruel and an unwise policy to prevent their taking Roman Catholic's children to educate, as the consequence was, the parents of all the children of Roman Catholic families (many of them the first families in this kingdom) were heretofore obliged to be sent abroad for their education; now they could be educated at home; and no man would dispute that a Roman Catholic education in this country was much less likely to be attended with dangerous consequences than a Roman Catholic education in a Catholic country. That the priests of that Church might wish to make converts, he did not pretend to deny; it was natural for every man who had a religion, Roman or Protestant, to feel a zeal to make converts to that religion which he thought concerned the soul's safety, and would be conducive, in his judgment, to secure the best and future interests of its votaries and professors. By "every man who had a religion," he meant those Christians who acted up to the thirty-nine articles, and the confession of the Saxon churches, those who conformed to the antient discipline of the Protestant church, as settled at the Reformation; not those who wished to reform further,—who denied the divinity of our Saviour, who wanted to get rid of the Athanasian Creed, and denied the efficacy of grace as a means of salvation; he gave such men little credit for zeal. But if the Roman Catholics in general felt a zeal to make converts, the laws of Great Britain had provided the means to restrain and keep it in order within the British dominions; and he had no doubt but the unfortunate French priests, to whom we had afforded protection, had the prudence to forbear any conduct offensive to the laws of that country in which they had found refuge. With regard to profession, the Bishop said, with the strictest inquiry, he had found but two instances, and those of two young ladies who had been novici-

ates in convents abroad, with a full intention to take the veil.—[He was proceeding to state the place and nunnery in this country; in which they had professed, when he was called to order by the Lord Chancellor, who submitted it to the Right Reverend Prelate, whether, as the facts he was stating were highly illegal, and liable to exemplary punishment, it was proper to draw the attention of the public to the exact place where such facts had passed; at least, whether such information ought to be given within the hearing of those below the bar?] The Bishop thanked the noble and learned Lord for his hint, and said, he would barely state generally that the ladies allowed to profess had been noviciated in convents abroad, with a view to take the veil; but that the convents being driven here, they had here professed and taken the vows. It was necessary, however, to add, that the superiors of the nunneries had been extremely angry at such imprudent conduct, and had taken great pains to guard against any such thing happening again. After much more observation and detail, to prove that the bill was unnecessary, and that the existing laws, if necessary to be enforced, were fully adequate to any possible evil to be apprehended from the Roman Catholics in this country, his Lordship came at last to prove that the bill was unconstitutional and dangerous, on account of the alarming power it would put into the hands of the Crown. Immediately after its preamble, it made it “lawful for His Majesty, his heirs and successors, to grant licenses to such religious orders or communities, professing the Roman Catholic faith, as were in this kingdom, to continue to reside therein during the continuance of the present war, and one year after, and to perform and observe, within their respective houses, the rites and ordinances of their respective institutions, any law or statute to the contrary notwithstanding.” Had noble Lords considered what were the rites and ordinances of the Roman Catholics, and the enormous power this enactment gave the Crown? Penance was a rite and ordinance of Roman Catholics; and would His Majesty expose any of his subjects to corporal severities, which were sometimes ordered and inflicted among other acts of penance? Besides, the superiors of those religious institutions must have the authority of the Pope, by the medium of his bull, for sanctioning such discipline. Would they allow the Pope’s bulls again to come into England, and give the King a suspending power, for such he would have with respect to all the various and express statutes that had been passed against the authority of the Pope in this country? After laying considerable stress upon this point, the Bishop said, there was one clause of the bill to which he owned he should feel no objection, were it not for the other parts of the bill

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with which it was connected, and that was the clause obliging Roman Catholic schoolmasters to return yearly, at the general or quarter session of the peace, a list of the names of such persons individually as are or have been boarded by him, with the name and place of abode of their respective parents or guardians. Such a regulation, his Lordship said, he sincerely wished extended to all schools, those of the Protestant Dissenters, as well as those of the Roman Catholic Dissenters; for he believed we had much less to dread from the latter, than from some of the former, in whose schools the doctrines of Jacobinism, sedition, and infidelity, were but too frequently inculcated, to his certain knowledge, and in some of their schools, under the name of charity-schools, Sunday-schools, and schools to *enlighten* children in and about the metropolis. The masters of such schools had nothing to do but to make general professions of their belief in the tenets, and conformity to the principles of the Protestant Church, and then were left to do infinite mischief by poisoning the minds of the growing generation. He hoped, in a future session, that Parliament would turn its attention to this truly important object. The Bishop concluded with moving, "That the bill stand committed for this day three months."

The Bishop of WINCHESTER rose next, and said, that he was sorry, after the very able and eloquent speech that their Lordships had heard, to be obliged to differ almost entirely from the Right Reverend Prelate respecting the bill then under consideration, which appeared to him not as an unnecessary or nugatory bill, as it had been termed, but as a moderate, wise, and necessary measure; a measure not introduced on light grounds, but actually called for, in order to quiet the apprehensions and jealousies entertained hastily, and by persons of heated and intemperate minds, in consequence of the great number of foreign Roman Catholics of different religious orders and communities that had lately come into this kingdom. He spoke in terms of the highest applause of the universal spirit of humanity and benevolence that actuated the whole kingdom, and made the inhabitants feel as one man, in opening their arms to receive the unfortunate clergy of France into their protection, when driven from their native land by a persecution of unparalleled severity. That such jealousies and apprehensions were entertained by prejudiced and heated minds, as he had described, was, to his personal knowledge, his Lordship said, but too true; and the bill was not only calculated to meet and to set such ill-founded apprehensions at rest, but was drawn in a pure spirit of mildness and toleration, which was the most amiable feature of the Protestant religion, and to which he was persuaded Parliament

would be ever inclined when it could act upon it with safety to our establishments in Church and State. The bill, he said, was twofold; it was an enabling bill and a bill of restraint. He thought the enabling part of it well warranted by the occasion; and that it was wise, considerate, and candid, to suffer the religious orders or communities, consisting either of natural-born British subjects or aliens, that were, through unforeseen misfortunes and irresistible adversity, driven to this country, to be put in safety as to their religious rites while in the kingdom; and at the same time he approved of the restrictive part of the bill, because he thought it prudent to prevent any addition to their numbers, and to guard against any possible danger from their zeal to make converts. Those parts of the bill which related to the keeping of schools, he did not entirely approve of; but as the measure was in general a good one, this latter consideration should not induce him to oppose it. He therefore, as a friend to genuine toleration and the constitution of this country in Church and State, would support the bill.

The Bishop of ROCHESTER rose to explain that part of his speech which related to the privilege of Roman Catholic natural-born subjects, which he thought his right reverend brother had misapprehended. He declared he had expressly said, that all Roman Catholics, natural-born subjects, as well as foreign Roman Catholics, were subject to the controul and authority of the Alien Act.

Lord GRENVILLE said, that he was fully persuaded the Right Reverend Prelate was guided by the purest spirit of toleration in the arguments that he had delivered in favour of the bill. The Right Reverend Prelate must, however, excuse him, if he declared that he should feel himself obliged to object to the bill; because he regarded it as a bill founded altogether in intolerance. It was the first time, he believed, that Parliament ever had been called upon to pass a new penal law without having some strong reason assigned in proof of the necessity for making any addition to our already perhaps too numerous penal statutes; a penal law too, whose object was, and the evident tendency of which must be, if it passed, to raise and excite unnecessary apprehensions and jealousies against an unfortunate, unoffending, and unobtrusive description of foreigners, driven to seek refuge and protection in a country, the known humanity, hospitality, and generosity of which, as well as the benevolence of its religion, ensured them before-hand a certain and safe asylum. The Right Reverend Prelate had given them to understand, that such jealousies and apprehensions were already entertained by persons of prejudiced and intemperate minds. If the fact were so, he would venture to assert, that the jealousies were altogether

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unwarranted, and the apprehensions groundless. Generally speaking, as far as it had come to his knowledge, the conduct of the Roman Catholic Clergy, emigrants from France, had been for the most part most innocent and most unexceptionable. If they had attempted to make converts, to increase the number of monastic institutions, or to do any thing likely to disturb the Government, he, as a member of that Government, should most likely have heard of it, as it was his special duty to watch their conduct scrupulously, and to exert the means that the Legislature had put into his hands to restrain any and every abuse tending to injure the interests of the country, either civil or ecclesiastical. He objected therefore to the enabling part of the bill, because it tended to cast an odium most unnecessarily on a large description of individuals, against whom no charge, or even suspicion, of improper conduct had been established, and who were eminently entitled to our hospitality and our protection; and he objected to the restrictive part of it, because it was ill-timed and nugatory, being rather calculated to point out the Roman Catholics to the rest of the subjects of Great Britain, as persons to be regarded with prejudice and jealousy. His Lordship concluded with declaring, that he cordially concurred in opposing the bill, and seconded the Right Reverend Prelate's motion, that the bill stand committed for that day three months.

The LORD CHANCELLOR left the woolsack to declare that he had no particular liking to the bill, and agreed in several of the objections that had been urged against it; but thought, nevertheless, that there were parts of it which contained some good provisions, and might, by amendments, be rendered highly useful. He wished therefore that it might not be rejected on the second reading, but go to a Committee; and if such amendments could not there be suggested as might render parts of it fit to remain, the bill might then go; but as the subject had been discussed in consequence of the introduction of the bill, inconveniencies might arise, if it was hastily or wholly rejected without the examination that it would necessarily undergo in a Committee. His Lordship produced a letter, which he said he had received, with respect to the origin of the bill; and as it was not anonymous, he would neither name the writer, nor read the whole of it; but he would communicate such sentences as were of import, however unfounded. The writer imputed the origin of the bill to a literary controversy between Dr. Sturges (the Chancellor of Winchester) and Mr. Milner, a Roman Catholic clergyman, who had published a *History of the Antiquities, &c. of the city of Winchester*; and he described Dr. Sturges's publication as a violent composition, fraught with the most intolerant doctrines,

that have been long exploded and dismissed from the pages of Protestant writers, while, on the contrary, he characterized Mr. Milner's work as a mild and unexceptionable one, declaring, that if the bill were not allowed to pass, or something like it, apprehensions and jealousies might be excited from the idea that such intolerant doctrines as Dr. Sturges had advanced were to be supported and encouraged to the disadvantage and prejudice of moderate Roman Catholics. The Lord Chancellor said, he believed the author of this letter was right in his conjecture as to the origin of the bill; but though he could but ill spare the time, he had since read the two publications; and though he would not apply the same intemperate language to Mr. Milner's that the letter-writer had applied to Dr. Sturges's, yet it evidently appeared to him that the work of Mr. Milner was full of the most studied aspersions on individual Ministers of the Protestant Church, and the most irritable reflections and unfounded charges against its system and practice, while Dr. Sturges's publication was candid, temperate, and full of the liberal line of argument which it well became a Christian and Scholar to adhere to. Having read and commented upon the comparative characteristics of the controversy, his Lordship begged the House to recollect that Mr. Milner was one of the established Roman Catholic Clergy, long resident in this country; that, in fact, the eminent Clergy of France had nothing to do with the controversy—that it was in no ways imputable to them; and therefore, if the bill had been drawn with a view to the controversy in question, it was neither fair nor just to make it bear on those who were unconnected with the controversy. His Lordship repeated his wish, that the bill might go to a Committee, because the letter-writer's sentiments shewed that some anxious feelings were entertained.

The Bishop of ROCHESTER rose again and said, the argument had been put upon a new ground, by what had fallen from the noble and learned Lord, and therefore he wished to say a few words. No person had before spoke of the origin of the bill, and he knew not how far it was regular to make a controversy between two writers a matter of debate in Parliament; but he had also read the two works alluded to, and he agreed in part with the criticism of the noble and learned Lord upon the woollack, upon the different merits of the two writers: Dr. Sturges had certainly written in very gentleman-like language; but he owned he wished the Chancellor of Winchester had held in mind the high station he had attained in the church, and shewn more orthodoxy and more zeal for the discipline of our Protestant establishment. Mr. Milner un-

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doubtedly had used too many asperities against our established religion, and the practices of its professors and ministers ; but——

The Earl of HARDWICKE spoke to order. It was, his Lordship said, highly disorderly, in his apprehension, to debate a criticism on a literary controversy, wholly unconnected with the bill under consideration. He had lately heard it said, that the orders of the House ought to be strictly adhered to, and that the more they were suffered to be departed from, the more evidently they led to serious inconvenience and serious irregularity. He meant no offence to the Right Reverend Prelate : but he must insist upon the order of the House being enforced, which did not allow any Peer to speak more than once in the same debate, whereas the Right Rev. Prelate had been up and spoke two or three times.

The Bishop of ROCHESTER said, it was done every day. The noble and learned Lord had delivered a criticism on the controversy between the Chancellor of Winchester and Mr. Milner, and he had a right to give his opinion upon it likewise.

Lord HARDWICKE again called to order ; and said, the Right Reverend Prelate must know that it was contrary to order to speak more than once in the same debate.

The LORD CHANCELLOR said, he had been called upon to enforce order, and he would enforce it. The Right Reverend Prelate was not entitled to speak again.

The BISHOP still contended that he ought to be allowed to speak, as it was a new question, the question having been changed.

The LORD CHANCELLOR said, the order was against the Right Reverend Prelate speaking again. He had thought it necessary, as a part of his speech, to introduce a part of the letter relative to the controversy between Mr. Milner and Dr. Sturges, and to drop a short opinion upon it. If it was indiscreet to have done so, the indiscretion was his own ; but he must insist on it, that the Right Reverend Prelate was not, by the orders of the House, entitled to speak again, and that he had no right to answer what he had said.

The Bishop of ROCHESTER said, all he meant to have said was, that he thought that Mr. Milner had in many cases the advantage of the Chancellor of Winchester.

A general cry of " Order." The question was therefore put, " That the bill be committed," which was agreed to.

It was then moved, " That the bill stand committed to this day three months." The Contents had it ; and the bill was of course lost.

HOUSE OF COMMONS.

Friday, July 11.

A message was brought from the Lords, by Mr. *Graves* and Mr. *Leeds*, that the Lords having taken into their consideration the resolutions of the Commons, communicated to their Lordships on Monday, the 19th of May last, relative to the inclosure and improvement of the waste lands in this kingdom, had come to the following resolutions :

“ Resolved, That, in order to promote the cultivation and improvement of the waste, uninclosed, and unproductive lands, commons, common arable fields, and common meadows, in this kingdom, it may be expedient to adopt such regulations as would diminish the expence of inclosing and improving the same, under the authority of Parliament.

“ Resolved, That, in order to diminish the expence of bills of inclosure, it may be expedient that regulations should be adopted by the two Houses of Parliament for the admission of affidavits authenticated by the certificate of one or more magistrates as sufficient evidence of the notices, the consents, and the allegations, in the preamble of such bills, instead of the parole evidence now required, unless where the latter should appear at the time to be necessary from particular circumstances.

“ Resolved, That, for the same purpose, it may be expedient that a general law should be passed, comprising all such provisions as by experience have been found necessary in most bills of inclosure, to which all such bills in future might refer.

“ Resolved, That, in order to diminish other expences incidental to bills of inclosure, it may be expedient that provision should be made in such general law for taxing the charges of the solicitor and the clerks, and regulating the conduct of the commissioners, and preventing any unnecessary delay in carrying such bills into effect.

“ Resolved, That, in the case of bills for the sole purpose of inclosing small tracts of land, not exceeding three hundred acres, it may be expedient to provide, that such bills should be considered, as to the payment of fees, only as single bills ; and that those for the inclosure of smaller tracts of land, not exceeding one hundred acres, should be subject only to the payment of half the bill fees due on a single bill ; the admeasurement, in both cases, to be proved in the same manner as is proposed by the second resolution regarding notices and consents.”

Ordered, that the said message be taken into consideration upon Monday morning next.

Mr. DOUGLAS presented to the House a bill for the more effectual prevention of depredations on the river Thames and in its vicinity, and to amend an act, made in the second year of the reign of His present Majesty, to prevent the committing of thefts and frauds by persons navigating bum boats, and other boats upon the river Thames ; and the same was received, and read the first time, and ordered to be read a second time on Monday.

Mr. ABBOTT moved, " That the report which, upon Friday last, was made from the Committee appointed to inquire into the state of the public records of this kingdom, and of such other public instruments, rolls, books, and papers as they shall think proper ; and to report to the House the nature and condition thereof, together with what they shall judge fit to be done for the better arrangement, preservation, and more convenient use of the same, and which was then ordered to lie upon the table, might be again read."

And the same being read accordingly ; Mr. ABBOTT again moved, and it was

" Resolved, That an humble address be presented to His Majesty, together with a copy of the said report, humbly desiring His Majesty that he will be graciously pleased to give such directions upon the several matters therein contained as His Majesty in his great wisdom shall think proper, for the better arrangement, preservation, and more convenient use of the public records of the kingdom ; and to assure His Majesty that, whatever extraordinary expence shall be incurred for these purposes, this House will make good the same."

A Committee was then appointed, who withdrew accordingly into the Speaker's chamber.

Sir F. BURDETT JONES said, that, previous to making the motion of which he had given notice some days back, he wished to lay before the House certain documents, upon which it was his intention to ground the propriety and necessity of that motion. He would not now comment upon the nature of the facts contained in these documents ; indeed they spoke but too forcibly for themselves. He would content himself with reading the documents, if the House would have the patience to hear him. The honourable Baronet then read the following presentment (on the subject of the Cold-Bath-Fields Prison) of the Grand and Traverse Juries of the county of Middlesex.

CASE OF MARY RICH.

" The facts on which the following presentment is founded originated in the miserable appearance of a witness named Mary Rich before the Grand Jury, in May Session, 1800, to give evidence against a man of the name of William Dell for an attempt to commit a rape upon her, the said Mary Rich, then under fourteen years of age. The child appearing very ill, was questioned by the gentlemen as to how she came so, when they were informed that she had been committed above a month to the New Prison in Cold Bath Fields, without any allowance but bread and water to support her: That she had been ill four days, but had not seen the Doctor in all that time, and that during her illness, a woman had been delivered of a child in the prison, and that some of the other prisoners had taken the covering of her bed from her, and she laid one whole night (ill as she was) in that situation. The gentlemen of the jury immediately acquainted the magistrates with the situation of the child, and requested their attendance in the jury room to see her, where she sat in a chair, scarcely able to hold herself upright. They were very much surprized at her account, and immediately ordered the keeper and the doctor of the prison to attend them with the warrant of commitment.

" The gentlemen of the jury, fearing some misinformation might be given by those men, resolved to close the business of the day, and visit the prison themselves, and two gentlemen were desired to wait on the magistrates, with a request for an order to that purpose; to this request was added another, that they might be empowered to examine witnesses (in the case of Mary Rich only). The gentlemen were very handsomely answered by Mr. Conant, that, respecting the order, they readily granted it for visiting the prison, and that, if any thing appeared to them improper or materially wrong, while there, it would come properly before them in a presentment from them as the grand jury; and then, if necessary, they should have power to examine witnesses even upon oath. In consequence of the order being given, the prison was visited, and the following presentment was given in to the Court the 31st May, 1800, immediately before they, as a grand jury, were discharged.

" The Presentment of the Grand Jury of the County of Middlesex, at the General Session of the Peace, holden for the said County, at the Sessions House of Clerkenwell-green, on the 27th day of May, in the fortieth year of the reign of our Lord the King.

" In consequence of the appearance of a witness that was brought before us in a prosecution, we considered it our duty to ob-

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tain an order of this Court to visit the prison in Cold Bath Fields, for the purpose of inquiry into the state of that prison, and particularly respecting the care and attention that is paid to the sick ; and the following observations are the result of that inquiry :—

“ That, from the cleanliness and good order preserved there, we consider it the best conducted prison we ever saw for prisoners after conviction, the article of bedding alone excepted, which certainly appears to us by no means sufficient, even for the summer season.

“ That for prisoners before conviction, we think directly the contrary, inasmuch as no provision is made for them, but bread and water, and the difficulty, if not the impossibility of obtaining admission for their friends to see them renders it a melancholy and dangerous situation, and appears to us contrary to the principle of our happy constitution, which has wisely provided that no punishment ought to take place till after conviction.

“ The case of Mary Rich, that first induced us to visit that place, is a case in point, she being a person who has suffered a severe injury, for which she is about to prosecute ; has been confined there more than a month, without any provision but bread and water, and whose friends, from their poverty, and other difficulties, have not sent her any animal food but twice during that time ; she is now exceedingly ill, and we think it our duty to say she ought to be immediately removed from that place, and put under the care of proper persons, with every comfort and convenience the nature of her case requires.

“ The appearance of the Infirmary is very favourable, but few sick, and none apparently dangerous, and visited by the doctor every day ; but the other parts of the prison appear not to be so well attended to, we having found two persons in separate cells, (one locked up), both very ill, and who do not appear to have been properly attended to by the doctor ; those circumstances we particularly recommend to your serious and attentive inquiry, trusting, at the same time, that the same sentiments that induced us to obtain this information will also influence you to render the situation of the unhappy persons confined there as free from complaints of this kind as the nature of their cases will admit. Signed by

Mr. Campbell, foreman,	Mr. Bellinger,	Mr. Flight,
Mr. Nash,	Mr. Deacon,	Mr. Wylley,
Mr. Smith,	Mr. Gordon,	Robert Cribb,
Mr. Hall,	Mr. Charlesworth,	Mr. Stubbs,
Mr. Garling,	Mr. Thompson,	Mr. Saunders,
Mr. Newport,	Mr. W. Marchant,	Mr. Powell.

Inspection of the House of Correction, Cold Bath Fields, on the 30th of May and 4th of June, 1800, by the Traverse Jury for Clerkenwell.

“ On Friday the 30th of May, we, the Traverse Jury, visited the Cold Bath Fields prison, and being introduced to that part of the gaol where the mutineers are confined, we ordered the turnkeys to withdraw, that the prisoners might with greater freedom communicate to us the treatment they received; because when we first questioned them they hesitated, being fearful of answering, dreading the severity of the governor in case he should know they made any complaint. But we told them our intention was to inspect into the real situation of the prisoners in general; and, should it appear that any of them had just cause of complaint, we would report it to the Court, and endeavour to procure them redress. Having thus promised them our protection, they informed us that their allowance of food was better now than what they formerly were supplied with; but that their allowance even at present was not sufficient to support human nature; and they declared their sufferings by cold during the winter was severe to the extreme; and many of them said they had scarcely a bit of shoe to their feet; and some of them complained that money was left for them by their friends at the prison gate, which they never received.

“ We proceeded to a gallery, where we found a man named Jones lying in a cell, with a handkerchief bound round his head. He appeared to be extremely ill, and we demanded to know the cause of his complaint; his reply was—“cruel treatment;” and related to us as follows: That one evening in the month of August 1798, after he had gone to bed, a turnkey opened his cell door, saying, “Why do you make a noise?” He answered, “I have not made a noise; but I suppose the noise was occasioned by some of the prisoners closing the window shutters of their cells.” The turnkey said, “You are a damned villain,” and made use of other abusive language, which induced him (Jones) to sit up in bed. At that moment the turnkey struck at his head with a bunch of keys, which must have proved fatal if part of the keys had not struck against the wall, which broke the dangerous effect of the blow. The turnkey then withdrew, but returned the next morning, and opened the cell, saying, “Come with me Jones to be ironed.” “For what?” replied Jones; “if I had committed an offence I ought to be ironed; but I have committed none.” During this altercation the Governor came up, and beat him (Jones) with a stick till he broke it to pieces; then he renewed the assault with his fists, and

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beat him in a cruel manner ; after which he took him to the yard, and loaded him with irons, which were not taken off his limbs for several months after. And Jones solemnly declared to us that he never enjoyed an hour's health since he was so inhumanly beat by the Governor.

“ We next examined some beds (which appeared like chaff, being worn-out straw,) and a small horse-rugg, and a thin small blanket (very coarse) for covering, all of the worst quality, and which we consider by no means a proper or sufficient bed or covering for any human being.

“ Many of the seamen complained of illness ; and in general they had the appearance of men worn out by wretchedness and disease :—they complained of being debarred of every indulgence considered necessary to render life desirable—even denied the privilege of attending divine service ? and the necessities of life so sparingly distributed to them, as if it was calculated to lengthen out a miserable existence for the purpose of punishment ; they acknowledge that their former crimes deserve any punishment the laws of the country may inflict ; and they greatly lament that they have not an opportunity of serving His Majesty, to make every reparation in their power as an atonement for their past offences.

“ After leaving the mutineers, we were conducted through several galleries to the kitchen, where we saw the copper where the prisoners' meat is boiled ; the copper is divided into two parts, one side large, and the other side small ; in the small side was some broth, which they informed us was intended for the prisoners next day ; some of the jurors tasted the broth, which was then rich and very good, but on a further inquiry it appeared that a quantity of water boiled in the large side of the copper with oatmeal, rice, and sometimes potatoes, was added to the broth on the small side of the copper ; consequently it must be very poor broth, when at least three times the quantity of water was to be mixed with the beef liquor that we saw first, before it was divided amongst the prisoners.

“ From the kitchen we went to the women's side of the prison, and passed through the laundry and sick ward, which were very clean ; but there were few sick persons in the hospital. We proceeded through a gallery where there were a number of women, but they made no complaint to us. We next went to a yard, where there were several men and boys apparently very ill ; they complained that they had not sufficient food, which they alleged to be the cause of their illness, nor had they proper medical assistance. One man in particular said, he had been greatly afflicted with the

flux for two years past, which his weak appearance denoted, and we think that he ought to be attended in the sick ward.

" We then left the interior of the gaol and walked on a path between the garden and prison, where we consulted, and concluded that we saw several prisoners that had great reason to complain ; but that every part of the gaol we had seen appeared to be very clean. However, we determined to re-visit that prison on a future day, in consequence of some information we obtained, that we had not seen all the prisoners, or had not been taken to the worst part of the gaol.

" Therefore we made our second visit to the Cold Bath Fields prison, on Wednesday the 4th June. And when passing through the mutineers' yard, a person from the gallery called out of a cell window, and said another prisoner requested to speak with us ; on which the keeper's son said, " It is Johnson, the mutineer," and desired a turnkey to bring him down ; but some of the prisoners alleged that he was not able to come down. However, he soon appeared, supported by two or three men, but unable to stand on his weak limbs ; therefore we ordered him back, and followed him to his cell, where he informed us he had been cruelly treated ; that his daily allowance of food was always short, and not sufficient to support him, and that he considered the want of food and bad treatment the sole cause of his illness ; and when he applied to the doctor of the prison for relief, the doctor disregarded his entreaties, and told him he shammed it : but you see, gentlemen (continued Johnson) I do not sham it ; the gaol allowance I cannot eat ; there it is, you may inspect it ; and my weak state denotes my situation." — We did not see or hear of this unfortunate man the first day we visited that gaol, nor had we before seen another gallery wherein we then found a number of prisoners that complained of being ill, which their emaciated appearance clearly denoted. They attributed their diseases to bad treatment and want of sufficient food ; and the medicine given to them they consider of no utility, as they believe it is nothing but vinegar and water, (we have since been informed that it is vitriol and water,) and the same sort of medicine is administered for every different disease. Amongst those persons there was one man who seemed to be in a high fever, and unable to sit up ; he said he was confined to his bed, since the 28th April last, and had often sent for the doctor during that period, but could only see him twice. Being so weak that he could not eat the prison allowance, he requested the doctor to order something that he could eat ; but the doctor told him, if he did not eat the prison allowance,

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he might go without any ; however, he has allowed him to have a pint of milk per day.

“ We next went to that part of the prison where debtors, paupers, and vagrants are usually confined, which we were not shewn on our former visit. That place exhibited a true picture of wretchedness, disgraceful to humanity. In the first room there lay a poor man, up in a corner, named Davis, with scarcely a rag to cover him ; he had been committed for one month, and appeared to be extremely ill. Our foreman, anxious to ascertain the real situation of the prisoners, went to the corner of the room where the poor man lay ; but was so overcome with the disagreeable stench of the place that he could hardly retire without fainting. From this scene of misery we proceeded to an upper room, in the same part of the prison, where we discovered eight unfortunate beings who were confined under the vagrant act. It appeared that each of them had only a pound of bread and water per day for sustenance, unless by accident that some broth was left by the other prisoners, which seldom happened. They had only three small straw mattresses for the eight persons to sleep on, without an atom of covering but the rags which they had on their backs on coming into the gaol. In addition to their other misfortunes, some of them complained of being tortured with vermin, which they caught from the filth of the place for want of clean straw ; and poverty is the offence which subjects our fellow creatures to such cruel treatment !

“ We next visited that part where the state prisoners are confined ; they appear to be tolerably well accommodated in one room ; but they complain that the keeper withholds from each of them 13s. 4d. per week for sustenance, being the money allowed to them by Government, which they think should be at their own disposal, as they could supply themselves with victuals at a less expence, and more to their satisfaction, which would enable them to save some of the money allowed to them, to send to their starving families in the country. William Chetham, one of the state prisoners from Manchester, bought a silk handkerchief at 4s. from one Nash, a prisoner ; and James Aris, the governor's son, seized the said handkerchief a considerable time ago, and has since withheld it, though he often promised to return it, or pay the 4s. that it cost. And in November last, the said William Chetham sent a new silk handkerchief to the laundry to be washed, which cost 7s. which he has never since received from the said James Aris, who has the care of the laundry. Another complaint was made by an American, Captain of a ship, named Cowan : That on the 16th of last January, (being confined in that prison), he entrusted Thomas Nichol-

son, the keeper's clerk, with a draft of 20l. on Webb and Lawford, of Cannon street, to receive cash for the same : that Nicholson gave him 13l. in part of the money next day, and a pair of pantaloons charged 1l. 4s. but that he never could obtain the remaining balance since. Nicholson followed us out of the prison, and acknowledged he had Cowan's money ; but would settle with him the next day, and entreated us not to mention it in Court.

" We visited the men's sick ward, which was very clean ; and only saw one patient there, whose complaint was the scurvy, though at that time there were a number of prisoners whom we had seen in so bad a state of health, that they ought to have been admitted into the hospital.

" We then went to the women's hospital, and there saw a girl under fourteen years of age, named Mary Rich. She had been very ill for some time, though her miserable condition was concealed from us when we had visited the jail before. We inquired of her what was her complaint, and how she was treated in the prison ; she said that she was well treated during the last four or five days, but for four or five weeks before she had been very badly off in every respect, having nothing to eat but a little bread and water, except some broth every second day : That she laid very badly in a cell, No. 5, with the other women, and one of them laid with her on a very narrow bedstead. We immediately went to the cell where she had been confined, and measured the bedstead, which was only two feet four inches wide. We asked the keeper's son, James Aris, how he thought two persons could rest on such a narrow bedstead. He replied, it was very common to put two persons in one bed, as they could lie head and tail very well.

" It appeared, that the young girl was committed for the purpose of giving evidence against a person that had injured her ; but the next morning after we saw her, a certificate was read in Court from the prison doctor, stating her to be so ill that she could not be brought into Court to give evidence.

" We examined the cells, which are about six feet wide and eight or nine feet long ; a window with wooden shutters, about seven feet above the floor, and another window over the door.—The floors are stone, and the walls are brick unplastered, which in the winter season must be very injurious to health, as there is no method of communicating fire to dry or air the cells ; and we fear such places are instrumental in afflicting those who have the hard fortune to inhabit them with diseases that can only terminate in a lingering death. Across those cells, under the window, are three planks raised to answer the purpose of a bedstead, on which a straw

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mattress is placed, with a small thin blanket, and a coarse horse rug; many of those mattresses were so chafed and worn out, that no person could take proper rest on them for want of fresh straw. The prisoners are not permitted to have any thing in their cells to sit on. Their allowance is said to be a pound of bread per day, and four days in the week they have about six ounces of meat, with some broth. But we apprehend, by the complaints of the prisoners, they are very short of that allowance. And we understand that the prisoners are not permitted to weigh their meat, nor is any person permitted to see that the prisoners have their proper allowance; that is entirely left to the mercy and humanity of the gaoler."

The honourable Baronet then stated it as his wish, that the House should resolve itself into a Committee, to consider of the facts now laid before them: and that the Grand Jury, and all acting magistrates of Middlesex who could throw light upon the subject, should be called to the bar of the House, and be there examined. He would only move, however, for the present, "That the presentment of the Grand Jury be laid on the table of the House."

Mr. SHERIDAN thought, that, in propriety, after the detail of such shameful and incontestible facts, the House could not refrain one moment from going into a Committee on the subject, without being chargeable with the want of common humanity and justice. On a former occasion, an examination of the House of Correction in Cold Bath Fields had taken place; but the magistrates were then imposed upon by the artifices of the governor, so as to give a favourable account of the state of things; and in consequence of that, the House was imposed upon also. The House, therefore, was unintentionally made a party in all that exaction, oppression, and cruelty, which had since taken place within those walls. Nothing was more clear, than that the magistrates and the House were grossly abused: for when any persons went to examine the prison, it was the practice of the governor only to shew those persons and places which would best bear inspection, and every thing that would tend to criminate them in the least was studiously kept out of sight. In particular, that part of the prison where paupers and vagrants were confined was a great desideratum of concealment. They were persons convicted of no crime, whose only fault was poverty; yet they were doomed to starve on bread and water, and spend their days in filth and squalidness. The very jurymen who visited them almost fainted at the stench of their teeming cells. Such abuses in this country was no longer to be endured. The House, therefore, if it valued its own reputation, or at all regarded the rights of humanity, could not fail as speedily as possible to investigate this mat-

ter to the bottom. Had the magistracy of the country done their duty, such disgraceful scenes could never have occurred. What could equal such enormity? The unfortunate prisoners were abused and plundered by their merciless keepers, who afterwards implored the jurymen to conceal their villainy from the magistrates. But the present Grand Jury had now fully substantiated the practices of plunder, cruelty, and oppression, and the House could not well shrink from going into an inquiry on the charge of such crying abuses. Could gentlemen seriously think of retiring to rural relaxation and amusements, while they left so many of their fellow-creatures pining under the gripe of such complicated miseries? Late as was the period of the session, he was confident there could be no objection to go into a Committee on a matter where the calls of humanity were so urgent.

Mr. MAINWARING acknowledged the presentment of the Grand Jury to be genuine; but wished to know how the honourable Baronet came by the other long paper which he had read, and which purported to be a report from the Traverse Jury. The whole substance of that paper seemed to be taken from certain notes and memorandums given in to the court of session at Clerkenwell by the Traverse Jury, but it appeared to be much misrepresented. Before this report, however, had been made, an inquiry had been instituted into the state of the prison and the wants of the prisoners, which it was determined to supply. The honourable magistrate here read the statement returned of the condition of the prison in the articles of beds, rugs and blankets, from which it appeared, that out of 176 beds only 108 were serviceable; that the number of rugs and blankets were nearly in the same proportion. Mr. Mainwaring next read the notes of the Traverse Jury, and pointed out the difference between their contents and those of the report read by the honourable Baronet. With respect to the mutineers, their treatment was as good as their situation would admit of; and as to Mary Rich, the magistrates had examined her, and found that when at home with her parents she lived in extreme poverty: she was one of six children; the mother made soldier's buttons at a penny a dozen; the father earned about 12s. a week; and they generally bought 4 or 5lb. of meat in a week to subsist their family. These and other circumstances formed the report of the magistrates, who gave it as their opinion that Mary Rich was treated better, and lived more comfortably in the gaol than ever she had done with her parents. Having thus submitted a counter-statement, he hoped the House would not enter on that report offered by the honourable Baronet, as the most recent accounts, even those of this day, con-

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tradict it; the statement of the Grand Jury only was true, and the report not so.

Mr. SHERIDAN asked on what day the notes were presented?

Mr. MAINWARING said, on the 27th of May.

The question was put,

“That there be laid before this House, a copy of the presentment of the Grand Jury of the county of Middlesex, at the general sessions of the peace, holden for the said county, at the Sessions House of Clerkenwell Green, on the 27th day of May last, relative to the state of the prison in Cold Bath Fields.” Ordered.

Sir FRANCIS BURDETT JONES said, his wish was, that the report should be also laid upon the table, though he did not propose, at present, any discussion.

Mr. CHARLES YORKE wished to know whence the honourable Baronet got the paper described as the Report of the Traverse Jury.

Sir F. B. JONES answered, that the foreman of the jury, and two of the jurymen, waited on him with it.

Mr. TIERNEY wished the motion to be for all the papers presented to the justices of the quarter sessions for Middlesex. He trusted the House would agree to an inquiry; for the circumstances to be collected even from the statement of the worthy magistrate were calculated to create great public uneasiness. The honourable member was going on to observe, that he was not at all interested in the question from any other motives than that of a general desire that no unnecessary cruelty should be exercised; no feelings of party actuated his—[Here the Attorney General seemed to smile]—Mr. Tierney said, “The honourable and learned gentleman need not smile. I state what cannot be contradicted. I took no share in the debates on this subject last year. I even did not vote on it. Why then does the honourable gentleman smile, as if he would insinuate that I am under the influence of improper motives? This habit of the learned gentleman has of late grown almost inveterate; but I tell him he had better not smile in his sneering way at me.”

The ATTORNEY GENERAL said, that the honourable gentleman had insinuated, as if he had in him a personal enemy; but in this he was unfounded—he was under a total misconception with respect to him, as he had not the slightest resentment against him.

Mr. TIERNEY said, the impression made on him was the reverse. He had once the happiness of living in habits of intimacy with him, and felt the deprivation of them, but did not know how he lost his good opinion; yet so it was, that the honourable and

learned gentleman was too much inclined to throw out broad insinuations on his motives of conduct. He hoped to drop it now, being satisfied with the explanation.

The ATTORNEY GENERAL maintained, that the paper was never before the Committee of the prison, nor before the magistrates.

A conversation now arose on the wording of a motion that should answer the views of Sir F. B. JONES, and put the House in possession of the notes on which the report was said to be founded.

Mr. SHERIDAN said, he hoped that by limiting the motion to these papers only, it was not meant that other information should be excluded, if the House went into that inquiry which justice so loudly called for. It was the duty of the House to see that a prison, the establishment of which it had sanctioned, should not be abused. The honourable gentleman could not but know, that the House had a right to controul the judges of every tribunal; and in this instance, if it did not interfere in that abuse which the magistrates had neglected to redress, it would indeed deserve the censure, of which its proceedings had been recently the object in a dignified place. Expressions had been made use of by persons of high authority, which he was surprised to find had not been taken notice of. Some observations, too, had been made by a right reverend Prelate (at least they were imputed to him), which he should think it his duty on another day to bring forward. He was of opinion, that every thing that could in the least degree tend to elucidate the subject should be produced. If there was any circumstance that could create the least suspicion in his mind that every thing relating to it might not be laid before the House, it was the observations that had fallen from the worthy magistrate. It appeared he had been misinformed by the prison committee, and that his mind was biased with respect to the manner in which the prison was conducted; otherwise a person of his respectable character and humanity never could have seemingly taunted at the remarks of his honourable friend, or have asserted, that there was no ground whatever for complaint. He was surprised at having heard such language from him. He could not account for such a bias on the mind of any man; but indeed there appeared to be a party spirit that he feared had obstructed or perverted the inquiries which would otherwise have taken place. As to the case of Mary Rich, the worthy magistrate had used a most extraordinary argument in justification of the treatment of that unfortunate girl. He had stated, that her situation in prison was not worse than it had been in the house of her father, who had a family of six

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children, whom he was unable to maintain. What! was the poverty of the father to be urged as an argument to justify cruelty towards the daughter?—was it any palliation of the treatment that girl had received, that she had been brought up in the school of wretchedness? But the question was, how came she there at all? She appeared as a prosecutrix, demanding justice against a man who had committed a rape upon her; but was it ever known that a prosecutrix was committed to prison as a witness, and when there, ordered to be fed upon bread and water? What had been the result of the treatment she had experienced? She had been found in such a state, when brought into court the first time, that it was impossible to examine her; and when sent back, the prison doctor had reported the second time that she was unable to be brought up. What had he a right to infer from this? He had a right to conceive, that the man who had committed the rape had had influence sufficient to keep out of the way the only witness that could appear against him. He had no occasion to state these matters in order to shew the necessity of a strict inquiry; what had been said by his honourable friend was quite sufficient. His honourable friend had been an object of censure in consequence of his interference on behalf of the unhappy people confined in this prison. In his opinion his conduct reflected the highest honour upon him, and did credit to the feelings of his heart; fortunate it was that a wretched, oppressed prisoner had a friend to whom he could apply for redress. Why was it necessary that any such application should be made by the prisoners to his honourable friend? The fact reflected disgrace upon the conduct of the magistrates? Why did they not apply for relief from their miseries to the magistrates themselves? It was because they were sensible they should not obtain it from that quarter. It was not quite a year since this subject had been taken up, and a committee appointed to visit the prison every six weeks. How did it happen, if that committee were not either grossly imposed upon, or deficient in their duty, that the worthy magistrate should at this time have had occasion to read such a long list of necessaries? When he considered the description of those articles which were denominated necessaries, that they were miserable beds stuffed with chaff, and coarse rugs or blankets, and many of these stated as unserviceable, he could scarcely contemplate the situation to which the wretched victims must have been reduced. These circumstances sufficiently proved that the prisoners acted wisely in not applying to the magistrates. In short, every word that had fallen from the worthy magistrate confirmed him in the opinion that this was a business which Parliament was called upon by every

sentiment of justice and humanity to probe to the bottom. He should therefore move,

“ That there be laid before this House copies of all representations made to the justices of the county of Middlesex, at their general and general-quarter sessions, at Clerkenwell, by the Grand or Traverse Juries, on the subject of the state of the prison in Cold Bath Fields, and the condition and treatment of the prisoners there, since the 1st of January 1800 ; distinguishing the dates of the different representations.”

Mr. WINDHAM said, that a prison must always be a scene of woe, and without great precaution must be a scene of wretchedness. The very nature of a prison made it almost necessary that it should be a despotism, exercised over persons withdrawn not only from common observation, but from common concern ; and it was the more necessary to watch over the situation of those who could not come out to make their own complaints. Upon these grounds he was of opinion, that prisons ought to be most strictly examined into ; not by visitors who went *pro forma*, but by persons who would visit it at unexpected periods, and who would explore the recesses of the prison. But he did not think, that in the present instance, the honourable Baronet had made out in any degree the abuse he had stated ; and even, if he had, the case itself was not of a nature sufficiently important to call for the attention of Parliament in the first instance. It was only in the event of a failure of redress in inferior tribunals that resource should be had to the House of Commons. It would detract greatly from the dignity of the House of Commons, if they were always in investigation of cases which, though they might contain abuses, might be redressed in other tribunals. If these tribunals refused to make the proper inquiries, then it might be proper for the House of Commons to interpose. In the first instance, the application should be made, he apprehended, to the magistrates at sessions, from thence to the King's Bench, and to the House of Commons in the failure of relief in every other quarter. Agreeing, as he did, in the propriety of investigating this subject in a proper manner, still he thought, if the present plan was adopted, it would place the House of Commons in a very inconvenient situation. If, indeed, there were no other means of making this proposed investigation, he would, without hesitation, agree to the motion ; but it appeared to him that there was no reason why the House of Commons should take it up in the first instance. If at the commencement of a session a Committee was appointed for the purpose of superintending all prisons

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(he would not say whether it was right or wrong), but still it would be more consistent with the functions of that House.

Mr. YORKE said, it was the second time this business had been brought before the House; and as the Committee had in the former session declared there was no foundation for the inquiry, he really thought there was something at the bottom of the business that required to be accurately sifted. Honourable gentlemen had not acted quite correctly; for they had argued upon these papers as authentic, though they were not regularly before the House. He had every respect for the presentment of the Grand Jury; but he should be glad to see the question still more minutely investigated than had been proposed. He could not avoid suspecting, that the motion proceeded from a connection with a set of men confined in the prison, who had been guilty of the greatest offences; but by this he by no means meant to impute blame to the worthy Baronet. He thought it beneath the dignity of the House to perform a task which might be done much better by the inferior magistrates. However, as he wished to see the business thoroughly sifted, he should not object to the motion; and, for the same reason, he moved as an amendment, that there be added at the end of it, the words "together with copies of the proceedings of the justices thereupon."

The ATTORNEY GENERAL said, it was to be understood that the unofficial document which had been alluded to was not called for by this motion.

Mr. BAKER expressed himself adverse to the House agreeing to it.

The motion, thus amended, was then put, and carried in the affirmative.

Mr. SHERIDAN trusted that he was not implicated in the allusion of the honourable gentleman; he did not think any one suspected him of forming a party with the mutineers, who were very properly subject to the rigours of confinement in that prison. The fact was, the question had nothing to do with the mutineers; it applied only to those who were committed as vagrants, or as witnesses, or for safe custody before trial, or to persons whose offence was poverty, the remedy for which was close confinement and bread and water. It did appear that they were treated with an improper degree of severity. If credit was to be given to the statement of the worthy magistrate, it was evident that they had not found that redress, to obtain which the prison had been made subject to the inspection of a committee. He was surprised to hear the Secretary at War say, that Parliament ought only to interfere as the last re-

fort. Parliament was bound to superintend all state prisons in the country. Parliament had suspended the Habeas Corpus Act; it was, therefore, its duty to see that no abuses were the consequence of that suspension. Would the honourable Secretary have those wretched prisoners, who were stated to have languished in the last stage of poverty, make application to the Court of King's Bench? It was in vain for them to attempt to make their sufferings known: they were fearful of doing so; they were too much overawed and intimidated by their gaolers to dare to speak out. It had been with difficulty that the Grand and Traverse Juries had induced them to state the facts: they were obliged to promise them protection, and order the turnkey to withdraw. He thought the observations or notes of the Traverse Jury, which had been improperly called a presentation, ought not to be withheld. When all the papers upon the subject were before the House, it would then be competent to determine whether a Committee of the whole House, or a special Committee, ought to be appointed to make that inquiry, either at the bar of the House or otherwise, which compassion to the sufferings of these oppressed prisoners, and the nature of the subject, demanded.

Mr. MAINWARING wished to know whether the honourable gentleman who spoke last expected the statement alluded to should be one of the papers within the object of the motion? If so, he would oppose it. It was a paper altogether unauthentic. He did not believe that one justice of Middlesex had ever seen it; he himself did not know it was in existence till four o'clock last night, when he was coming down to the House.

Mr. SHERIDAN asserted this to be an egregious quibble. He defied any one to prove the statements of the report to be incorrect, and admired the candour of such opposition from gentlemen who professed a wish that the matter should be sifted to the bottom.

The SPEAKER suggested to the honourable member the propriety of making a specific motion.

Mr. SHERIDAN then moved, "That there be laid before the House a copy of a letter, with any paper therein enclosed, respecting the prison in Cold Bath Fields, and sent by the foreman of the traverse jury of the 30th of May last, to the foreman of the succeeding jury."

The ATTORNEY GENERAL objected to the motion, as the paper was not authentic; and in fact, as the paper was described, there was no person to whom they could apply for it. The paper had not been laid before magistrates, and therefore was not in any degree authenticated. Indeed the Traverse Jury had nothing to do with this business, and the letter of this foreman was no more

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than the letter of a private individual ; for when they visited the prison on the 4th of June, they had ceased to be jurymen. Upon the whole, he thought they ought not, by calling for an unauthenticated paper, to give credit to it.

Sir F. B. JONES supported the motion, and contended, that it was the duty of the House to avail themselves of every opportunity of getting at the truth, without straining at nice and quibbling distinctions. It was highly important that the House should be in possession of both papers, as there was an essential difference in the complexion of the first and second representation of the Traverse Jury.

Mr. WINDHAM contended that the paper was unauthenticated, and anonymous. If the motion was agreed to, it would not produce the paper, for it was improperly described ; but even if it would, he thought it much below the dignity of the House to call for it.

Mr. BUXTON objected to the production of the paper, both on the ground of the dignity of the House, and the justice of the case. The foreman of this Jury ought to have complained to the regular tribunal, and not to have written such a letter to the foreman of the next Traverse Jury, who had no right to interpose upon this subject. This paper, upon which so much had been said, was no more than a representation in writing from a person who had no right to make it, to a person who had no right to receive it. He was very anxious that inquiries should be regularly made into the state of all prisons, because they were under the command of persons who stood almost in the situation of tyrants, and the persons whom they commanded were almost in the situation of rebels. Before they called for this inquiry, they should recollect that the law provided remedies in the case of abuses, such as were stated to exist in the present instance. There were several acts of Parliament upon the subject, particularly Mr. Gilbert's act, and Mr. Powys' act. He was the more anxious that this subject should be examined in the proper tribunals, because there the examination would take place under the solemn sanction of an oath.

Mr. YORKE spoke against the production of the paper ; and suggested that the foreman of the jury who had written this letter, might be examined at the bar of the House, when he would have an opportunity of stating all he knew upon the subject.

Mr. SHERIDAN then withdrew his motion.

Mr. ABBOT reported from the Committee appointed to draw up the address to be presented to His Majesty, that the Committee had drawn up an address accordingly, which they had directed him to report to the House ; and he read the report in his place, and af-

terwards delivered it in at the table, where the same was read and agreed to by the House.

Ordered, that the said address be presented to His Majesty by such Members of this House as are of His Majesty's most honourable Privy Council.

The humble Address of the House of Commons to the King.

" Most gracious Sovereign,

" We your Majesty's most dutiful and loyal subjects, the Commons of Great Britain in Parliament assembled, having taken into our consideration the state of the public records of this kingdom, and the necessity of providing for the better arrangement, preservation, and more convenient use of the same, humbly beg leave to lay before your Majesty the report of our proceedings thereon; and to represent to your Majesty, that in several of the principal offices we have found the public records preserved with great order and regularity, and in some few with a method and care which are exemplary: but that, in many of the most important offices, they are wholly unarranged, undescribed, and unascertained; that some of them are exposed to erasure, alteration, and embezzlement, and others are lodged in places where they are daily perishing by damp, or incurring a continual risk of destruction by fire.

" A period of nearly seventy years has elapsed since the last general parliamentary inquiry upon this subject; and, during this interval of time, the change which has taken place in the language and written character of judicial proceedings, as well as the large accumulation of materials which has been progressively superadded in every department, have increased the difficulties of methodizing the several repositories, or applying their contents to the purposes of practical use.

" In the course of our inquiry, we have found that many of the public buildings allotted to these uses, and especially those buildings which belong to your Majesty's Exchequer in all its branches, comprehending the antient records and muniments of the rights and possessions of the Crown, and the vouchers and accounts of the public revenues and expenditure, are in a state so incommodious and insecure as to require immediate attention.

" It has also appeared to us, that the salutary measures heretofore adopted, by your Majesty's authority, for methodizing the contents of some of the principal repositories of your Majesty's records and papers of state, might also be extended to many other repositories, with consequences highly beneficial to the public service.

" And the same motives which encouraged our predecessors to entreat your Majesty's directions for printing the antient records of

domesday and the rolls of Parliament, have also induced us to submit to your Majesty's wisdom our desire of extending the same measure to other antient and valuable monuments of our history, laws, and government.

"Your faithful Commons do therefore most humbly beseech your Majesty, that you will be graciously pleased to give such directions as your Majesty, in your great wisdom, shall think fit, for the better preservation, arrangement, and more convenient use of the public records of this kingdom.

"And we beg leave further to assure your Majesty, that whatever extraordinary expences may be incurred by the directions which your Majesty, in your great wisdom, shall think fit to give on this occasion, shall be cheerfully provided for and made good by your faithful Commons."

The bill for the safe custody of insane persons charged with high treason was reported. On the motion, that it be engrossed,

Mr. SECRETARY AT WAR said he was sorry that the subject under discussion should come on when there was so thin a House: it was one in its own nature of considerable importance. He could not but entertain a wish that some punishment might attach on any attempt on the life of the Sovereign, notwithstanding the plea of insanity. It was revolting to one's feelings, no doubt, to think of punishing an insane person; but there was also something revolting in all punishments, particularly in capital punishments: they were inflicted, however, not from vindictive motives, nor from any notion that even in cases of the greatest atrocity they afforded any compensation to society for the offence committed, but with the view of preventing the repetition of it on the part of others. It was a well-known saying, that a horse-stealer should be punished, not because he had stolen a horse, but that horses might not be stolen. If the subject were viewed in this light, the propriety of capitally punishing attempts on the part of a madman, against the life of any one, would perhaps be admitted: and much more would these considerations apply with respect to an attempt on the life of the Sovereign, which, if successful, might have the effect of dissolving the whole fabric of society. There was something in the state of madness that, where such a design was conceived, generally led it to make the attempt on the greatest objects, especially if that madness happened to be connected with any particular political bias. The only ground on which the measure he now suggested could fairly be opposed was, that madmen were not capable of being influenced by the fear of punishment. But he conceived that they were influenced by the

fear of punishment more than by any other consideration, and to a degree much beyond the impression it made on other men. On Lord Ferrers' trial a question was put to a witness, whether his Lordship was in a state to distinguish moral right and wrong? He should have thought the proper question would be, whether he was in a state in which he could have felt a dread of punishment? He was persuaded that the House, reflecting on recent events, and the chance of the same dangers again occurring, would see the propriety of maturely considering the suggestions which he had thrown out.

Mr. NICHOLLS begged leave to enter his protest in the very outset against the measure now suggested. There never was a time when, by the law of England, a madman was regarded as a fit object of punishment. Formerly, indeed, a design to commit murder, if fully proved, incurred a capital punishment, according to the maxim, *voluntas pro facto reputabitur*. But never did the law of England sanction the punishing a madman. The will was necessary to constitute crime: *actio non est rea, nisi mens sit rea*. The very word *demens* expressed a man who had not reasoning powers to judge of punishment. He admitted that the attention of madmen was most attracted by prominent objects; but as the punishment of a madman could not operate as a prevention, he hoped the sentiments then delivered would never be again brought forward.

The SOLICITOR GENERAL thought that the proposition of the right honourable gentleman (Mr. Windham) was one which deserved very mature consideration, and he must differ from the last honourable gentleman, by observing, that it was one which certainly derived countenance from the law of England. By the antient law, madness in certain cases was not allowed to be an exemption from punishment. The life of the King was considered to be of such importance as to stand in need of every kind of safeguard. Lord Coke stated an attempt of this nature as an exemption from the general rule, that madness was not punishable; and Lord Hale likewise stated this to be a safe and a wise exception. It was not possible in all cases to discover whether the madness was real or feigned; and therefore the antient law was, that killing the King was treason, from whatever quarter it proceeded. In case of a man's being capable of being influenced by the fear of punishment, he questioned whether the plea of madness, with regard to any crime, could be admitted; and it was doubtful whether there were many persons so mad as not to be capable of being influenced by such a fear.

Mr. NICHOLLS said that the learned gentleman laboured, he apprehended, under some mistake as to the doctrine of Lord Coke.

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Madness certainly was not admitted, by the law of England, as a plea against an indictment ; but he would assert, that there never was a time when it was not permitted to be urged in *evidence* for exculpation. He would not now, however, go at length into the subject. He conceived that it was of too great importance to be discussed in the present state of the House. He would therefore move "that the House be now counted."

The motion being complied with, and it appearing that there were only 16 members present, the House was adjourned.

Monday, July 14.

On the order of the day for the third reading of the Executory Devise bill,

The MASTER OF THE ROLLS proposed a clause, that the wills of testators should stand good, if made within twelve calendar months previous to the passing of this act, notwithstanding any of the provisions of this act.

On the question "that this bill be now read a third time,"

Mr. BURTON objected to it on the grounds of public and private expediency. He saw no necessity for the bill—no real existing grievance which required it. Excepting one late instance, he knew of none within the last half century that could call for such a measure ; and if there was, this bill held out no remedy to such grievances, whilst it would introduce others far greater than the only single inconvenience which this bill was intended to remove. The bill proposed to prevent perpetuities ; but to him it appeared to do no such thing, as perpetuities to a certain extent were allowed by the bill. The law allowed a man to entail both his real and personal property to any number of lives in fee for 21 years, and this was allowed to the same extent by this bill. Neither did the bill appear calculated to encourage the circulation of property, nor would its provisions accomplish that purpose. Accumulation of property would not prevent circulation. Money in such cases would not be locked up in a chest, but would go into circulation, as much as if it was kept in the pocket of the original owner. The sum accumulated on an estate would be every year laid out in the funds ; so that the money would be circulated in that case as far as the public interest was concerned, as much as if it were spent by the original owner. The only grievance pretended to be remedied by this bill, namely, the accumulation of property to such a degree as to be dangerous to the State, was very improbable to happen. The present law had existed long, and yet no man had directed any accumulation which threatened to be of the least danger to the State, except in one re-

cent and solitary instance. Why had it happened that this danger had not occurred before? Because it was contrary to the course of human events—contrary to the common feelings of human nature—that a person possessed of vast property should deprive his children or relatives of any benefit from it. It would be half a century before it could be known whether any inconvenience was likely to arise. Surely then there was time enough to consider of passing such a law. Mr. Burton said, that it was not an advantageous thing to the public that persons should be discouraged or prevented from accumulating a large fortune: it was of importance that some men should enjoy a large property; particularly in times of public exigency, they were wanted for advancing loans, &c. The bill before the House had a tendency to diminish the attachment of the people to the constitution, if they were restricted as to the distribution of their property. This bill was also prejudicial to private individuals. In some cases the accumulation of property might be requisite in the view of erecting a family mansion; of embanking of land from the sea or the river; draining; or for paying fines on the renewal of lives. Proprietors of West India estates might properly allot a certain part of the property of their estates with a view of laying out their money in the funds, in order to purchase a more secure estate in this country. The proprietors of mines might also be induced to accumulate, from the precarious nature of their property. He must urge his objections also in the case of meritorious officers, &c. advanced to peerages, who might fitly accumulate with a view of supporting the dignity of their peerage in the persons of their posterity, after their pensions were at an end. Should it be the wish of the House for the bill to pass, he would propose to submit a clause in the bill prohibiting the accumulation above twenty-one years, and substituting the words “till the income tax upon accumulation shall amount to a certain sum, then the accumulation shall cease;” and he should propose at any rate that this be made a temporary law.

The MASTER OF THE ROLLS lamented that the honourable Member should delay his opposition to the principle of the bill till the third reading. He should object to a bill which was meant as a material alteration in the existing law, being temporary. This bill was calculated to prevent a variety of mischiefs. It had no intention of altering the law with respect to the alienation of property, or restriction in the disposal of estates; but it was meant to prevent a mischief which had already taken place, and not merely in a solitary instance; for he was well informed, that that had been followed by instructions which had been given to many convey-

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ancers to follow that example. After stating the law as it now stood, and expatiating on the case of Mr. Thellusson's will, and the decision of the Court of Chancery upon that occasion, the Master of the Rolls argued, that such a bill as the present was wanting to prevent similar cases arising. The present bill made ample provision for every proper degree of accumulation ; and he was afraid serious mischief would ensue, if this bill were suffered to stand over to next session of Parliament.

Mr. SIMEON remarked, that, had the late case alluded to occurred earlier, the State would have made a law to prevent it. This bill was analogous to the statute of mortmain, which was intended to prevent property from being taken out of circulation. He was therefore a friend to the bill.

After a few words from Colonel ELFORD, the House divided ; for the third reading, 50 ; against it, 3. Majority, 47.

The order of the day was then moved on the second reading of the Poor Relief bill for the metropolis.

Mr. MAINWARING complained of the misrepresentation which had gone forth respecting it ; but as he understood that various petitions with numerous signatures were intended against the bill, he did not wish it to be farther urged ; and should therefore move the second reading of the bill to be postponed to that day three months.

Mr. Chancellor PITT observed, that the nature and object of this bill had been much misunderstood ; and though he would acquiesce in the honourable gentleman's motion, yet he wished to have it understood that he thought there was great misrepresentation on the part of the petitioners as to the nature of the measure. But when he found the most necessitous parishes, for whose benefit the bill was intended, disclaiming their want of relief, he must hope that they were assured upon good grounds that, without the proposed extraordinary intervention of the Legislature on their behalf, they were possessed of the means and inclination of providing relief for those persons. Though he agreed that the bill be withdrawn, yet it was not from any conviction of the impropriety of the measure.

Mr. HAWKINS BROWNE also declared, that the more he had heard, the more he was satisfied of the propriety of the measure ; and he hoped that it would be resumed, and well considered in another session.

Mr. JONES and Mr. SIMEON, who had petitions to present against the bill, also said a few words ; after which the motion passed, that this bill be read a third time this day three months.—The bill was thereby lost for this session.

HOUSE OF LORDS.

Tuesday, July 15.

Lord GRENVILLE acquainted the House, that he had a message from His Majesty to this House, signed by His Majesty ; and he presented the same, which was read as follows, viz.

GEORGE R.

His Majesty thinks it proper to lay before this House, the copy of a treaty, which has been signed at Vienna, between His Majesty's Minister to that Court, and the Minister Plenipotentiary of the Emperor of Germany, duly authorised for that purpose.

His Majesty has directed the ratification of this treaty to be immediately prepared, and transmitted to Vienna, to be exchanged in due form with that of the Emperor : but, on account of the present advanced period of the year, His Majesty has thought it best not to delay communicating to Parliament the engagements thus entered into ; and he recommends it to this House to adopt such measures as may be necessary in order to enable His Majesty to fulfil them.

His Majesty doubts not that he shall see, in the conduct of Parliament, in this conjuncture, an additional example of that good faith, firmness, and determination, which have uniformly actuated the Councils of this country ; and he is persuaded, that his Parliament will concur with him in thinking, that, by furnishing the means for prosecuting the war with vigour, they best promote the attainment of peace, on grounds consistent with the security and honour of this country, and with the safety and independence of Europe.

G. R.

Lord GRENVILLE then moved, that His Majesty's message be taken into consideration to-morrow, and that their Lordships be summoned upon the occasion ; which was ordered accordingly.

His Lordship then presented a copy of the convention between His Britannic Majesty and His Majesty the Emperor of the Romans, dated at Vienna, June 20, 1800, which was ordered to lie on the table. This state paper was as follows :

Convention between His Majesty and the Emperor of the Romans.

“ His Majesty the Emperor of the Romans, King of Hungary and Bohemia, and His Majesty the King of Great Britain, have judged that it was conformable to the interest of their Crowns, and to the good of the common cause, to concert with each other on the best manner of giving effect to the union of their efforts against the common enemy in the present campaign. In consequence of which

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the Baron De Thugut, Grand Cross of the Order of St. Stephen, His Imperial Majesty's Minister of Conferences, and Commissary General and Minister Plenipotentiary in his provinces of Italy, Istria, and Dalmatia, &c. and the right honourable Gilbert Lord Minto, Peer of Great Britain, one of His Britannic Majesty's most honourable Privy Council, and his Envoy Extraordinary and Minister Plenipotentiary to the Court of Vienna, being furnished on the part of their aforesaid Imperial and Britannic Majesties with the powers requisite for discussing and arranging this important object; the said Plenipotentiaries, after having respectively exchanged their full powers, have agreed upon the following articles:

"Article I. In order to relieve the pressing necessities of the finances of His Imperial Majesty under the enormous expences already incurred, and which remain to be incurred during the present campaign, His Britannic Majesty shall advance to his above-mentioned Imperial Majesty, by way of loan, the sum of 2,000,000*l.* sterling. This sum shall be divided into three parts, and paid at three different periods, preferably in specie: so that the first third of 666,666*l.* 13*s.* 4*d.* shall be paid in the first days of the month of July, the second third of the like sum in the first days of September, and the remaining third in the first days of the month of December.

"Article II. During the whole continuance of the war, and during the six months which shall follow the conclusion of a peace between Austria and France, His Imperial Majesty shall not be bound to pay any interest upon the sum of two millions advanced, as stipulated in the preceding article, Great Britain consenting to take this charge upon her own account until the period above-mentioned. But on the expiration of the term of six months after the conclusion of peace, His Imperial Majesty shall pay for the future to the British Government, or to the individuals who shall be pointed out by the British Government, an annual rent or annual rents, making altogether the amount of the interests of the two millions advanced, which interest shall be calculated at the same rate as the interests of the loan made on account of the British Government in the present year. His Imperial Majesty shall moreover pay annually to the British Government the sum of 20,000*l.* sterling, at two periods, that is to say, 10,000*l.* every six months, which sum shall be employed in the successive purchase and reduction of the principal of the two millions, according to the method adopted by the British Government in its own loans.

"Article III. Their Imperial and Britannic Majesties mutually promise each other to carry on the war against the French Re-

public during the present campaign with all possible vigour, and to employ in it all their respective means by land and sea, concerting together, as occasion shall require, on the most advantageous manner of reciprocally employing their forces by land and sea to the support of their operations against the common enemy. His Imperial Majesty shall be careful to complete his armies of Germany and of Italy in proportion to the losses which they have sustained, in order always, as far as possible, to act against the common enemy with the same number of effective men, conformably to the statements which His Imperial Majesty caused to be confidentially communicated to the British Government on the opening of the campaign.

“ Article IV. The Bavarian troops, those of Wurtemberg, and the Swiss regiments in the pay of Great Britain, shall be at the disposition of His Imperial Majesty, to form a part of his army in Germany, and to be employed there in operations against the enemy, in conformity to the conventions and capitulations concluded on this subject by the King of Great Britain. His Britannic Majesty shall take the necessary measures for the further reinforcement of the army of His Imperial Majesty in Germany, by as great a number as possible of German and Swiss troops.

“ Article V. Their Imperial and Britannic Majesties engage, during the whole continuance of the present convention, not to make a separate peace with the French Republic, without the previous and express consent of each other. They engage likewise not to treat with the enemy, nor to receive from him any overtures, either for a private peace, or for a general pacification, without making, mutually, communications of them with openness, and acting in every respect in perfect concert.

“ Article VI. The duration of the present convention is fixed for the term of one year, to be computed from the 1st March 1800, until the end of February 1801. From the month of December, and immediately after the acquittal of the last payment of the stipulated advances, the two high contracting parties shall enter into deliberation and confidential explanation upon the determinations that they may think necessary to adopt for the future, according to circumstances, and their mutual convenience.

“ Article VII. The present convention shall be ratified in due form by their Imperial and Britannic Majesties; and the respective ratifications shall be exchanged at Vienna in the space of six weeks, or sooner if possible.

“ In witness whereof, we, the undersigned, furnished with the full powers of their Imperial and Britannic Majesties, have in their

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names signed the present convention, and have affixed thereunto the seal of our arms.

“ Done at Vienna the 20th of June, in the year 1800.

(L. S.)

“ LE BARON DE THUGUT.

(L. S.)

“ MINTO.”

HOUSE OF COMMONS.

Tuesday, July 15.

Mr. Chancellor PITT delivered a message from His Majesty, which was read—[See it in page 376.]

Mr. Chancellor PITT moved that His Majesty's message be referred to a Committee of Supply. He then brought up the treaty signed at Vienna on the 20th of June 1800, between His Britannic Majesty and the Emperor of the Romans, which was ordered to lie on the table, to be perused by all the members—[See it in page 376 *et seq.*]

Mr. ROSE moved that the House do resolve itself into a Committee, to consider of the propriety of preventing the exportation of rice.

The House having resolved itself into a Committee for that purpose,

Mr. ROSE said, there was now a bounty upon the importation of rice; but of late several persons had made entries of rice at the Custom-house for exportation. It appeared to him, that it would be proper to prevent the exportation as long as the bounty upon the importation lasted; and he concluded with moving a resolution to that effect, which was agreed to; and the House being resumed, the report was brought up, and read a first and second time.

The House resolved itself into a Committee to take into consideration one of the articles transmitted from the Lords respecting general inclosures.

Mr. SPEAKER, after commenting upon the propriety of diminishing as much as possible the expence attending inclosure bills, moved, that the Chairman be directed to move the House for leave to bring in a bill for consolidating into one act several provisions usually inserted in inclosure bills.

The House being resumed accordingly, he moved for leave to bring in the said bill.

The House in a Committee of the whole House, on the bill for the better regulating the trade and business of pawnbroking:

Mr. PERCIVAL observed, that there were, as he understood, particular regulations with regard to articles pawned that were above the value of 10l. Directions were given for the sale of these articles in a particular way, and the law provided for the mode of returning the surplus to the original owner of the goods. He had been informed, he knew not how truly, that there never had occurred a single instance, since the passing of the act, in which the article sold as an unredeemed pledge had produced any surplus whatever to the person pawning the article. That could hardly be so, if the transactions of the sales were fair; but he was informed, and he suspected, that there might be an understanding between the pawnbroker and the auctioneer in these cases, that the sale was so managed that nothing should come back to the person pawning the goods, however much they might surpass in value the sum lent upon them. He trusted, if there was any thing in this suggestion, that Parliament would consider of it. Whether the remedy should be by making the sale more public, or by putting the pawnbroker and auctioneer to their oaths, or what remedy should be adopted, he knew not; but he was in hopes that in the course of next session of Parliament, if now too late in this, something might be done in this particular.

Mr. WILBERFORCE said, that as he was not aware that this order stood for to-day, he had not been able to satisfy himself as to some parts of the bill, nor to make up his mind as to what alterations he might think necessary to propose to make in it. He therefore wished that it might be deferred for a few days. The Chairman was therefore desired to report progress, which he did, and asked leave to sit again on Friday.

HOUSE OF LORDS.

Wednesday, July 16.

Lord GRENVILLE moved the order of the day for taking the King's message into consideration, and summoning their Lordships thereon; which being read, he observed, that he felt it unnecessary to trouble their Lordships at any length upon the present occasion. It was in their recollection, that at an early period of the session, when a subject of pecuniary arrangement was under discussion, the House expressed its decided opinion, that a vigorous prosecution of the war, with a view to the attainment of a safe and honourable peace, was a measure founded in the wisest and most incontro-

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vertible policy. He understood, that no circumstance whatever had occurred since, which ought fairly, or rationally, to induce the House to alter that opinion. On the contrary, the events which had since taken place, and he could confidently make the declaration, was such as should confirm their Lordships in this sentiment. On these grounds it was that he felt it unnecessary to trouble the House, the more especially knowing those whom he addressed to be persons from whose wisdom, decision, firmness, and patriotism, during the present arduous contest, had resulted the greatest possible benefits, and which were hourly felt by the country. He should deem himself acting improperly, did he attempt to adduce fresh arguments to persuade their Lordships to adhere to those opinions which they had already decidedly expressed. He thought it the best proof of loyalty to the Sovereign, and attention to the true interests of the country, at once to express their determination, "that to prosecute the war with energy and vigour, was the surest means of attaining the blessings of a safe and honourable pacification, and to establish the safety and independence of Europe at large." Without farther preface, he would therefore propose to their Lordships to agree to an address to His Majesty on the occasion of his most gracious communication of yesterday. His Lordship then read the address, which faithfully echoed the message; and being read from the woolsack, and meeting the unanimous concurrence of their Lordships, it was voted *nem. dis.*

The Lords with white staves were then ordered to wait upon the King, in order to learn the time His Majesty would please to be attended with the address.

HOUSE OF COMMONS.

Wednesday, July 16.

Mr. *Stirling* (deputy clerk of the peace for the county of Middlesex) presented to the House, pursuant to their orders,

Copy of the proceedings of the justices of the peace for the county of Middlesex, upon the representations made to them by the grand and traverse juries, on the subject of the state of the prison in Cold Bath Fields, and the condition and treatment of the prisoners there, since the 1st day of January 1800, inclosing

Copy of the presentment of the grand jury of the county of Middlesex, at the general sessions of the peace, holden for the said county, at the Sessions-house on Clerkenwell Green, on the 27th

day of May last, relative to the state of the prison in Cold Bath Fields; and also,

Copy of the representation made to the justices of the county of Middlesex, at their general session of the peace, on the 5th day of June 1800, by the traverse jury.

Ordered, That the said papers do lie upon the table, to be perused by the members of the House.

Mr. Chancellor PITT said, that as the bill for uniting Great Britain and Ireland had now finally passed, it would be proper to think of taking measures for the accommodation of the united Parliament. The present House of Commons was evidently too small to contain the additional number of members, since it with difficulty contained those who had now a right to sit in it. He therefore moved, that a Committee be appointed to consider of the most expedient mode of enlarging its dimensions.

The motion was unanimously agreed to, and a select Committee appointed accordingly, consisting of Mr. Chancellor Pitt, Messrs. Dundas, Windham, Ryder, Yorke, Percival, the Master of the Rolls, Lords Belgrave, Hawkebury, &c.

The order of the day being read, the House went into a Committee to consider farther of ways and means for granting a supply to His Majesty; Mr. J. Smith in the chair.

Mr. Chancellor PITT moved, that an account of the produce of the taxes for the year 1800 be referred to the said Committee. He then proceeded to state in the Committee, that the produce of the taxes ending the 5th July 1800 amounted to 23,909,000*l.* which, owing to the same deductions, he would only state at 23,743,000*l.* The quarter ending the 5th of July last increased considerably; this he stated at 9,765,000*l.* leaving the sum to be levied for the three succeeding quarters on the same proportion at 18,530,000*l.* It was obvious that a considerable increase of revenue would arise from several articles. The duty arising from the article of malt, which had been so much diminished this year, owing to the accidental scarcity of last year, would considerably increase, as there was no one article on which the prospect of the year was more improved than that of barley. He said, after consulting with the most conversant on this subject, he considered 500,000*l.* addition on this article to be a moderate estimate. Another considerable addition would arise from the duty on Scotch spirits, which he stated at 450,000*l.* Other sums would arise from the repayments of the loan to the merchants of Grenada and St. Vincent, which he stated at 40,000*l.* There were other sums which would become payable between the 5th of July 1800 and the 6th of April

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1801. With respect to the consolidated fund, and the mortgages upon it, there would be the sum of 218,000*l.* actual payments remaining due and to be made good from the vote for 1799. There were also 735,000*l.* arrears from the land-tax since this tax had been directed to be carried to the consolidated fund, besides the interest of 18,000*l.* After stating the deductions and charges, the amount of the Imperial loan, &c. Mr. Pitt proceeded to move, "That the sum of 2,500,000*l.* be granted towards the supply to His Majesty out of the monies which should arise from the surplus of the consolidated fund."

Mr. TIERNEY wished the right honourable gentleman had calculated according to the whole year, rather than according to the rate for three quarters; and declared he saw no sufficient inducement for altering the old mode of making up the estimate for the year.

Mr. Chancellor PITT, after noticing the two ways of making up the account, observed, that when one of the quarters was expired, it was most accurate to state the fact as it was, and to take the estimate from that quarter to the time to come; it was fair to compute the growing produce of taxes for the three ensuing quarters from the last preceding one. He had taken into the account no increase of revenue but what had actually taken place; and from the regulations adopted, he expected an augmentation of the income tax to the sum originally calculated, of seven millions.

The vote of 2,500,000*l.* was then agreed to, and the report ordered to be received to-morrow.

Sir F. B. JONES gave notice, that to-morrow he should make a motion relative to the prison in Cold Bath Fields.

A motion was made, that the papers presented by Mr. Stirling should be printed.—Ordered.

Mr. Chancellor PITT asked Sir F. B. Jones, what was the purport of his intended motion?

Sir F. B. JONES said, it was, that the foreman of the traverse jury should be examined at the bar of the House.

Mr. SHERIDAN stated, that when the production of the notes of the traverse jury had been desired by his honourable friend, it had been observed, that those who were called the traverse jury were, at the time they presented the papers, not so in point of fact; they had been discharged: it had been urged, that they were only so many curious individuals who had visited the prison. It was in consequence of understanding that the paper could not be got at by any motion, that his honourable friend wished to examine the fore-

man of the jury at the bar of the House. He trusted there would be no objection to his being produced and examined.

Mr. Chancellor PITT said, he had not been present when the discussion took place on a former evening, and only knew what had passed from a cursory report of it. It was impossible for the House to agree to the production of the paper alluded to; for the only ground stated as a reason for laying it before the House was, that those gentlemen who had composed the traverse jury had, after they had been discharged, and of course when they had ceased to be invested with any official character, sent to the foreman of another traverse jury the notes of what they had stated to the justices in sessions; this was not such an official document as could be the subject of a motion. It was certainly the province of grand juries to present all nuisances and offences against the law, as an inquest of office; but the traverse jury had no power to present offences; they were only summoned to try them when at issue. The House would therefore pause before it sanctioned such an innovation of the province of juries, by adopting a motion for the production of a paper of the description which had been mentioned. However, if there really existed any abuses in the prison of the Cold Bath Fields, affecting the liberties of the subject, he would not object to any mode of redressing them, even though in some measure informal: but there was another consideration to be attended to; which was, whether the laws were so inadequate to redress an abuse of this nature as to render an application to the House of Commons necessary? Upon any statement, that the existing laws were not of sufficient force, or upon a suggestion that this prison did not come within the ordinary rules, it might perhaps be requisite for Parliament to interfere. Whether any such reasons had been alleged, he knew not; but unless the case was so, no circumstances of abuse or hardship would justify the interference of the House. He thought it necessary to say thus much with regard to the production of the paper, at the same time desiring it might not be understood that he should agree to any motion for examining evidences at the bar of the House.

Mr. TIERNEY denied that the traverse jury had no right to present such an abuse as the one which was the subject of the presentations to the justices. He admitted that ordinary courts had a jurisdiction over prisons, and that the parties aggrieved might go to the Court of King's Bench; but the truth was, they had no means of doing so, and were too much intimidated by their jailors to dare to apply. He thought, after what had transpired, it was the duty of Parliament to take the subject under its consideration.

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The SPEAKER interrupted this conversation as irregular. An honourable member had given notice of a motion for an inquiry, in order that evidence might be examined. Any previous discussion relative to that inquiry was unnecessary. The only way in which the subject could at present be entertained was, if the House really wished to enter into it, for some gentleman to move for the production of the paper.

Mr. MAINWARING was proceeding to contradict the facts which had been stated; when

Mr. Chancellor PITT observed, that the facts ought not to be entered into till to-morrow, unless a motion was made for the production of the paper.

Mr. SHERIDAN said, he should move for the paper. The miserable wretches confined in this prison, he observed, had it not in their power to apply to courts of justice for redress. It was a prison established by Parliament; the provisions enacted for its regulation had been violated; the superintendence provided by Parliament had not been acted upon; it was therefore the duty of Parliament to interfere. The Court of King's Bench could not grant relief. It could not say, that a person who had been guilty of no offence should not be confined in a room six feet square, and fed upon bread and water, because the Legislature had said he should. The evil admitted only of a legislative remedy. It had been said, the traverse jury had no right to make any presentation; he contended, they possessed an equal right with the grand jury, with the leave of the magistrates. It was the duty of the House to obtain and act upon the opinion of the former traverse jury; and for that purpose he would move, "That there be laid before this House, a copy of any communication made since the 29th of April last by any traverse jury to the justices in sessions for the county of Middlesex, respecting the prison in Cold Bath Fields."

Mr. MAINWARING said, that in all the charges which had now been brought forward on the subject of Cold Bath Fields, there was nothing different from those on which the House had decided last session, except what related to Mary Rich; and it was proved, that the magistrates had instituted an inquiry into that case, and found that it was not of such a nature as had been represented.

Mr. W. DUNDAS said, the papers moved for were idle in the extreme, being only opinions of private persons, in no official capacity whatever, and with which Parliament had no concern. He was then proceeding to answer the arguments adduced for an inquiry, when

Mr. SPEAKER informed him, that he was irregular, that question not being before the House.

Mr. ATTORNEY GENERAL said, that if the paper which it was intended to procure by the present motion had any existence under the character ascribed to it, it would have been already returned in consequence of the order for laying before the House all the representations made to the justices respecting the prison since the 1st of January. The foreman of the late traverse jury had no right, he said, to send that paper to the foreman of the present traverse jury; nor had the latter any right to attend to it. The grand jury were sworn to make presentments; the traverse jury to try success; and mischievous consequences would ensue from the one encroaching on the province of the other. Under all the circumstances which related to the paper in question, he thought there were strong grounds to suppose it contained the grossest calumnies.

Mr. SHERIDAN thought there had been a total misapprehension of the paper alluded to, and which he deemed necessary for the inquiry; and he vindicated the traverse jury from the charge of being capable of calumny in the paper alleged, without which the House would be apt to be misled. The grand jury had made a presentment, amounting to a charge upon the magistrates for not doing their duty; a jury was appointed; that jury say, "all is right;" and thus the magistrates are screened, and the public deceived. He contended, that they ought to be in possession of the papers of the grand and petty jury, as both juries were duly authorized to make this inquiry into the state of the prison. The honourable gentleman (Mr. Mainwaring) was so far wide of a correct statement, that he even mistook the period at which the session ended, stating it to be on the 31st of May, whereas it did not close till the 5th of June, and his notes were up to the 2d of June, and the visit made by the traverse jury was on the 4th of June. They proceeded to examine from certain suspicions, and took the prison by a sort of surprise, which laid open to them a scene of the greatest misery, oppression, injustice, and inhumanity, that the mind can well imagine. On this occasion he (Mr. Sheridan) would ask, whether they did wrong in sending those notes to the next traverse jury? The case was so strong, that he could not see how a stronger case could be made out; and if on examination it was true, there could not be a grosser calumny.

Mr. Chancellor PITT said, the feelings of every person must revolt at the unmerited ill treatment of any unconvicted person; but with respect to those confined for crimes and misdemeanors, the

humanity felt for them ought to be kept under some controul. Certainly their treatment should not be needlessly severe, nor too liberally indulgent. The office of magistrates and their situation ought well to be considered. Their services were voluntary, and frequently liable to be invidiously construed. This consideration ought to put them under the peculiar protection of the Legislature: neither should too hasty credit be given to rumours affecting their reputation, as thereby the whole distributive justice of the country might be unhinged. No extraordinary evil had yet been made out that the existing laws were inadequate to redress, and all legislative interference was perfectly unnecessary. The paper moved for was unofficial, though made, it was true, by persons who had been in office, but whose duties had expired. Such a loose document, therefore, ought not to be sanctioned by the House. It was only a memorandum of supposed abuses tendered to the grand jury, which had been sufficiently looked into and reported upon. All this seemed perfectly regular and satisfactory. Had any misconduct or neglect been proved against the gaolers, punishment, no doubt, would have taken place. A tribunal certainly existed to which they were amenable, without any necessity of a recourse to Parliament; but a subsequent examination of the state of the prison on the 11th of July had fully corroborated the former favourable report; no further necessity of inquiry therefore existed. The only question now was, whether, under all these circumstances, the papers were worth calling for? but he thought they were not. There was no calculating the mischiefs to which granting inquiries upon such grounds might lead. He would remind the House of the proceedings of last year; the grounds of that inquiry were political. Complaints were made, that certain persons imprisoned on charges of sedition and treason were treated with injustice and cruelty, and this case was distinguished from the other cases of the jail. The result of that inquiry was such, that it furnished no argument for going into another inquiry, far less gave a precedent to sanction what was suggested to be made. But if, on the review of all the circumstances, any thing could present itself to the gentlemen of the House, either by way of regulation or improvement in the management of the prison, he on his part could have no objection to its adoption.

Sir F. B. JONES said, that the case last year was not a particular case respecting state prisoners, but a general and gross abuse, on which the House had instituted an inquiry. His intention was then, as it now was, to direct the attention and censure of the House to

the several instances of cruelty and oppression which marked the conduct of those who had the superintendence of the prison.

Mr. TIERNEY admitted the extreme caution that should be used in receiving complaints against magistrates; but it should not be forgotten, that many persons who compose the court that controuls and regulates this prison have salaries from Government. Feeling then, as he did, for them, he thought that the honourable member had not well expressed himself on the subject of an inquiry, when it was expected from him that he would have been anxious for the character and credit of his brethren in challenging inquiry; instead of which he discovered, from the first mention of the business, a disposition to suppress all further inquiry into it; and he (Mr. Tierney) wished that the worthy magistrate would state his own opinion, and not that of his brother magistrates, as there was reason to believe that those gentlemen would stand as high in future as they had hitherto. The facts already proved went to establish this, that the prison is not well managed. The right honourable the Chancellor of the Exchequer stated the grounds of inquiry last year as political, but said, that if a case should now be made out, the House might listen. The case of last year was full of injustice and oppression, and such as would be found highly aggravated in the statement of this, from the presentment and report themselves. The Attorney General had taken an exception to traverse juries, as unauthorized and improper persons, who did not act constitutionally, and who had given in a false report, which contained a gross calumny. Whether this was so or not, an inquiry would prove. He would put, he said, traverse juries aside, and would rest upon the document of the grand jury. That document stated the treatment as highly improper, such as persons before conviction being kept on bread and water; no admission of their friends; and even their beds, so far from being fit for winter, were not sufficiently warm for summer. If on the presentation of a case from a single individual (in allusion to Colonel Despard) last year the House thought fit to institute an inquiry, what should they do when they had the presentment of the grand jury itself? On applying to courts of justice, he asked, what must the King's Bench say when that court should hear that an application for redress was made to the House of Commons, and rejected? He declared he meant no imputation on the characters of individuals, when he appealed to God for the strength of his case, which was full of injustice, cruelty, and oppression; and such as called upon the feelings and the humanity of the House.

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The ATTORNEY GENERAL denied that he charged the traverse jury with falsehood; he only said they exceeded their powers, as they constitutionally could not take on them the office of a grand jury, their provinces being distinct.

Mr. PERCIVAL said, that the speech of the honourable gentleman (Mr. Tierney) might have been delivered to-morrow, when it would be in its place, but had no reference to the production of the paper, the object of the motion; and he had that reliance on his candour, that if he asked him whether a word in his speech was to the purpose, he would confess it was not. As to the conduct of the Court of King's Bench, he would not take on him to say what it would be; but he believed that it would never proceed so illogically as to say, that, because the House of Commons rejected the inquiry, it was not bound to administer justice on application to it. He then drew the distinct provinces of the grand and petty juries, and said, that all that was regular in the report of the traverse jury, and the presentment of the grand jury, were before the House.

Mr. MAINWARING removed the imputation of his being disposed to stop inquiry, or of having misled the House; he challenged scrutiny into his character and conduct on facts, and professed himself ready to justify on any charge fairly and openly made against him.

Mr. TIERNEY admitted the respectability of his character, on which he declared he meant no imputation.

The SPEAKER here observed, that the discussion was carried to an irregular length, as it was not to the question, which was on the production of a certain paper.

The question was put, and negatived without a division.

Mr. SHERIDAN wished to know when the Permanent Committee appointed to examine those papers presented the report, and up to what time?

Mr. MAINWARING said, up to the 6th of June.

Mr. LONG brought up the report of the resolutions from the Committee of Supply, in which the sum of 25,000*l.* had been voted to His Majesty to defray the expences of the Military Asylum at Chelsea, which was read and agreed to.

HOUSE OF LORDS.

Thursday, July 17.

The order of the day being read for the further hearing of counsel on the Flour and Bread Company Bill, Mr. *Garrow* was heard at considerable length as counsel for the supporters of the bill.

Earl STANHOPE, after a few prefatory observations upon the general tendency of the bill, presented a petition from Mr. Francis Chambers, of Liverpool, merchant, and general corn importer, against the bill, praying that it may not be passed into a law.

The Earl of LIVERPOOL animadverted upon the effect of entertaining the petition of individuals, and made several remarks on the circumstances of the case in question.

Earl STANHOPE rose to reply, in some warmth, conceiving it to have been said that the petition had no prayer. He reprobated the idea of its being imagined that he could have presented a petition to the House without a prayer. The petition in his hand had a prayer; it was a clear and intelligible one; he read it before, and would again, which he did loudly—"That the bill may not pass into law;"—which he hoped, on the ground of its being pregnant with danger and injustice, would be acceded to.

The Earl of LIVERPOOL explained.

The petition was ordered to lie on the table.

Earl STANHOPE presented a petition from a number of individuals subscribing thereto, against the New Forest Bill, and praying to be heard by themselves, or their counsel, against the same. His Lordship, after reading the prominent parts of the petition, moved, "That the petitioners have leave to be heard by themselves, or their counsel, against the bill."

The LORD CHANCELLOR had no objection to the petitioners being heard by counsel; and said, that as the bill was of such a nature as to contain nothing which might not be altered in the Committee, and as it had already been read a second time, he therefore thought the counsel had best be heard before the Committee. However, he said, he could not refrain then from making one observation, namely, that the provisions of the bill must have been grossly misrepresented to the subscribers, to induce them to set forth the unfounded allegations which he understood the petition contained.

[The Clerk reminded the Lord Chancellor, that the bill was ordered to be referred to a Committee this day.]

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The LORD CHANCELLOR again quitted the woofsack, and observed, that under the circumstances of the case, it was obvious the counsel could not be heard before the Committee. The petitioners, he observed, should have come forward earlier, as they had had abundant time.

Earl STANHOPE rose, and deprecated what appeared to him to be an aversion in the House from hearing petitioners by counsel in defence of their rights. He contended, that the petitioners in the present case had a right to be heard by their counsel against what they deemed an infringement upon their properties. He asserted, that if their Lordships went on from day to day in refusing to hear petitioners at their bar, it would excite much discontent in the country. He also adverted to what he termed the indecent haste with which the bill (a measure directly affecting the rights and properties of individuals) was hurried through both Houses of Parliament; and censured the alleged precipitation in unqualified terms.

The Earl of LIVERPOOL deemed it incumbent on him, in part, to notice the observations of the noble Earl. He denied that the bill had been in the least hurried through either House. In the Commons it was more than three weeks in its progress; the fact was notorious, and, as he collected from the public newspapers, amply discussed. From these sources, even if they possessed no other, the subscribers might have drawn better information. On their Lordships the imputation of hurry could as little attach. The bill was regularly read a first time, ordered to be printed previous to its second reading, which stage took place in due course, without the least opposition being made to the measure: the petitioners had therefore ample time, and need not have waited until the House was upon the point of going into a Committee upon the bill.

Earl STANHOPE in reply said, he could hardly suppose the noble Earl to be so ignorant of the forms and modes of regular parliamentary practice in such cases; he was sure he was not ignorant of them; what was said, therefore, of the length of time the bill was before the Commons, could not apply; as he must know, that while a bill was pending in the Commons, a petition to the Lords against it could not be signed. His Lordship then added a few observations decidedly hostile to the bill; and principally on the ground of its trenching on the rights of individuals, and insisting upon the right to be heard.

The Earl of LIVERPOOL spoke shortly in explanation.

The LORD CHANCELLOR observed, that though the petitioners, in the present instance, had manifested an indecent disre-

gard to truth in framing their allegations, he should not contest their right to be heard by counsel. — He again insisted, that the effect of the measure must have been misrepresented to the petitioners. He contended, that no provision in the bill took away, in any case, the constitutional appeal to a jury, whenever an individual, vindicating his right, should think fit to resort to it.

After some private conversation between their Lordships, the petitioners were ordered to be heard by counsel on the third reading of the bill.

HOUSE OF COMMONS.

Thursday, July 17.

Mr. DOUGLAS moved the order of the day on the third reading of the Thames Police Bill; which was read a third time, passed, and ordered to the Lords.

The ATTORNEY GENERAL moved the order for the third reading of the bill for regulating trials in treason, and for the safe custody of insane persons; which was read a third time and passed, and ordered to the Lords.

The ATTORNEY GENERAL then rose to say, that the governor of Surinam, acting under impulses of the strictest necessity, had permitted the importation and exportation of goods into that colony, contrary to existing acts. This, however, was done for purposes of general utility, and ought not to operate to the disadvantage of the individual thus acting. He should move therefore for leave to bring in a bill to indemnify the governor of Surinam, or any one acting as such, for the time being, for allowing the importation and exportation of goods in and from that colony in neutral ships; and likewise for making void all seizures of ships, vessels, and goods under the Navigation Act.—Leave given.

Colonel GASCOYNE moved the order of the day for the House to resolve itself into a Committee on the bill to explain and amend the Combination Act of last sessions. He then moved, as the present bill comprised all that was necessary in the former one, and so rendered it useless, that it should be an instruction to the Committee, that they should have power to repeal the Combination Act of the last sessions.—Agreed to.

The SPEAKER having left the chair, Colonel GASCOYNE and Mr. SHERIDAN, among several clauses, proposed two, to the effect that societies should, for their mutual benefit, be suffered to subscribe

towards the vindication of each other's innocency in courts of law, and in the instance also of the loss of tools, &c. These, however, were opposed by the ATTORNEY GENERAL, who maintained the clauses were useless for the end intended to be accomplished by them, and liable to be productive of dangerous consequences; in consequence of which they were over-ruled. The House then resumed, and the report having been brought up, was ordered to be received to-morrow.

Sir F. B. JONES postponed his motion, which stood for to-day, respecting Cold Bath Fields prison, till Monday.

Mr. MAINWARING said, every return that came within the order of the House had been made by the magistrates of Middlesex; but if the House had the curiosity, and were desirous, other papers might be laid before them previous to the time the returns were made. The reason why these had not been at once laid on the table of the House was, that they were supposed not to come within the order.

Mr. Chancellor PITT did not see any occasion for further production of papers on the subject.

Mr. SHERIDAN said, the papers withheld were of great importance, as they proved considerable neglect of the prisoners in some quarter, by suffering them to remain deficient in beds, blankets, and other necessaries.

The SPEAKER said, the order of the House was satisfied; and if any further papers were wanting, a specific motion ought to be made.

Mr. MAINWARING observed, that Cold Bath Fields prison was the only one in the kingdom where criminals were indulged with beds without paying for them.

Mr. SHERIDAN then moved, "That there be laid before this House a copy of any statement of the number of prisoners in Cold Bath Fields prison, that may have been communicated by the governor to the justices since the 1st of January last, and of any list of necessaries wanting, with the proceedings of the justices thereon."

Mr. YORKE said, that since the magistrates had been acquainted with the state of the prison, they had taken care that every reasonable want of the prisoners should be supplied. He had no objection, however, to any papers being laid before the House.

Mr. TIERNEY took notice, that as the number of prisoners were always varying, it was necessary that numbers and dates should be specified together.

Mr. SHERIDAN approved of this suggestion, and observed, it had been remarked by an honourable magistrate, that Cold Bath Fields prison was the only one in the kingdom where criminals were indulged with beds; he (Mr. Sheridan) would remark also, it was the only prison where persons were treated as criminals before conviction.

Mr. Sheridan's motion was then put and carried.

Mr. JOHN SMYTH (according to order) reported from the Committee of the whole House, to whom it was referred to consider further of ways and means for raising the supply granted to His Majesty, the resolution which the Committee had directed him to report to the House; which he read in his place, and afterwards delivered in at the table, where the same was read and agreed to by the House, as follows, viz.

“Resolved, That, towards raising the supply granted to His Majesty, there be issued and applied the sum of five millions two hundred thousand pounds out of the monies that shall arise of the surplus of the consolidated fund.”

Ordered, That a bill be brought in upon the said resolution; and that Mr. John Smyth, Mr. Chancellor of the Exchequer, Mr. Douglas, Mr. Pybus, Mr. Attorney General, Mr. Solicitor General, Mr. Rose, Mr. Long, and Mr. Bragge, do prepare and bring in the same.

On motion, That the several resolutions, which, upon the 1st day of April last, were reported from the Committee of the whole House, to whom it was referred to consider further of ways and means for raising the supply granted to His Majesty, and were then agreed to by the House, be read.

The same were, as agreed to by the House, read accordingly, and are as follow, viz.

“Resolved, That, out of the monies arising by virtue of an act made in the 39th year of the reign of his present Majesty, for granting certain duties upon income, there shall and may be issued and applied the sum of five millions three hundred thousand pounds towards making good the supply granted to His Majesty, over and above the sums necessary to discharge the interest of any loans which have been charged on the said duties by any act or acts of Parliament.

“Resolved, That, out of the monies arising by virtue of an act made in the 38th year of the reign of his present Majesty, for granting certain duties on goods imported and exported, and on tonnage of ships and vessels, there shall and may be issued and applied the

sum of one million two hundred and fifty thousand pounds towards making good the supply granted to His Majesty."

Ordered, That it be an instruction to the gentlemen who are appointed to prepare and bring in the said bill, that they do make provision therein pursuant to the said resolutions.

HOUSE OF LORDS.

Friday, July 18.

Earl STANHOPE, after a few prefatory observations hostile to the Flour and Bread Company bill, and setting forth that a degree of irregularity had obtained with respect to the third reading and passing of the bill in the House of Commons, moved, that a message be sent to the Commons requesting that they would communicate to their Lordships what proceedings had taken place, on the 4th instant, on the occasion of the third reading of the London Company's Incorporation bill for the manufacture of flour and bread.

The LORD CHANCELLOR objected to such a proceeding on the part of the House, chiefly on the ground of its being unprecedented, &c. and tending to no possible good effect.

Earl STANHOPE spoke briefly in reply;—upon which the question was put from the woollack, and the House divided—For the motion, 1; Against it, 6. Majority, 5.

On the motion of Lord GWYDIR, a Committee was ordered to be appointed to consider of a plan to be submitted to His Majesty, for the extension and improvement of their Lordships' House, rendered necessary by the Union of the Parliaments of Great Britain and Ireland.

The Earl of WESTMORLAND presented a petition from His Majesty respecting the vote of credit usually made towards the close of a session, and recommending it to their Lordships to concur in making the necessary provisions to enable His Majesty to defray certain extraordinary expences.

[For a copy of the message, see the Proceedings of the House of Commons, p. 396].

His Lordship then moved a corresponding address to His Majesty on the occasion of his most gracious message; which was universally concurred in by their Lordships.

HOUSE OF COMMONS.

Friday, July 18.

Mr. Chancellor PITT acquainted the House, that he had a message from His Majesty to this House, signed by His Majesty ; and he presented the same to the House ; and it was read by Mr. Speaker, as follows, viz.

GEORGE R.

As the state of public business may soon enable His Majesty to put an end to the present session, His Majesty thinks it proper to recommend it to the House of Commons, to consider of making provision to enable His Majesty to defray such extraordinary expences (in addition to those which will be incurred in fulfilling the specific engagements which His Majesty has already directed to be laid before Parliament) and to take such measures as the exigency of affairs may require. G. R.

Ordered, That His Majesty's said most gracious message be referred to the consideration of the Committee of the whole House, to whom it is referred to consider further of the supply granted to His Majesty.

Mr. Chancellor PITT moved, that the House should resolve itself into a Committee of Supply ; having previously moved, that the papers presented to the House on the 8th, 11th, and 17th July, the petitions on behalf of the Veterinary College, the British and the African Company, and the copies of the treaties between His Majesty of Great Britain and the Emperor of Germany, should be referred to the said Committee.

The SPEAKER having left the chair, and His Majesty's message relative to the imperial subsidy having been read,

Mr. Chancellor PITT rose, and said, that having already had occasion to submit a motion to the consideration of the House, relative to the treaty between the King of Great Britain and the Emperor of Germany, it could not be necessary for him at present to enter very minutely into the subject, not only because the motives to induce the Committee to accede to such treaty were in themselves so obvious, but because they had been so explicitly stated by him when that motion had been discussed, and were so clearly pointed out in the message of His Majesty. In fact, there scarcely remained any thing farther for him to do, than to move that the Committee should adopt such a resolution as would enable His Majesty to carry that treaty into effect. It might, however, be necessary to remind the Committee, that as early as the month of February

last, His Majesty had announced his intention of forming an alliance, and entering into a treaty for the prosecution of the war, with the Emperor of Germany, the Elector of Bavaria, and other Princes of the Germanic empire. The House had, upon such communication, determined that, upon every principle of sound policy, it was bound to sanction the treaty His Majesty had expressed his intention of entering into, and to enable him to fulfil it. The policy of such a determination on the part of the House was so evident, and had been rendered so necessary by every event of the present war, that to use any arguments to enforce it would be to waste the time of the Committee. Since the period when the House had resolved upon the policy of such treaty, various events had happened affecting the relative situation of the allies with whom His Majesty had stated his intention to enter into a treaty. Some of those events had been attended with most brilliant and signal advantages to the Austrian arms, and the cause in which we were engaged. On the other hand, he was compelled to admit that our allies had experienced heavy reverses: but they were reverses attributable to the chance of war; reverses which, so far from having a tendency to diminish and relax their efforts, could have no other effect than that of exciting them to more vigorous and determined exertions, and of producing in this House, and in the country at large, that zealous, ardent, and beneficial co-operation which it was the object of His Majesty's message to obtain; and the House had already by its vote, founded upon every principle of policy, determined to grant. Now, to enable the Committee accurately to judge of the propriety of following up by its vote that which the House had sanctioned, it might be necessary to consider the circumstances under which the treaty was proposed and accepted, previous to the knowledge, or even the suspicion of those disasters which had lately taken place in Italy. As far as His Majesty's Ministers had received any information upon the subject, they had every reason to believe that, notwithstanding the extent at which those disasters had been stated by the enemy, the Emperor of Germany had determined not to recede on his part. Whether, if the Emperor was determined to fulfil his part of the treaty, the British House of Commons ought to enable His Majesty to afford him his support and assistance, was a question which rather required to be stated than to be argued: for it was not to be believed, that the magnanimity and courage of Great Britain was to be affected by the vicissitudes of war; that its faith towards its allies was to be shaken by fortuitous events; or that it would shrink from those allies in whose success it expected to have participated; merely because they had experienced disasters, the

effect of which there was every reason to hope would be momentary, and eventually inconsiderable. Under such circumstances, he was persuaded the sentiments expressed in His Majesty's message were those which actuated every one to whom he was addressing himself. There was not, he would assert, one British heart in the country that could think differently upon the subject; nor could he for a moment suppose, that there would be the least whisper of opposition to the resolution he should have the honour of moving. If, then, there was nothing in the events which had taken place in Italy of sufficient magnitude to deter the Emperor from fulfilling the treaty on his part, surely, as a question of policy, interest, and prudence, whether this country ought to abide by it, it lay within the narrowest compass imaginable. That man who could doubt as to the conduct which Great Britain was bound to adopt, must be as shallow with respect to policy, as callous to every sentiment of honour. Whatever had been the result of the campaign in Italy; whether the statement of the enemy had been exaggerated or not; whether those hopes on which we had calculated had been disappointed to the full extent we were led to believe; still it must be apparent, that the interest of this country required that it should not separate itself from its ally the Emperor of Austria, but, on the contrary, should do every thing in its power to enable that great monarch to prosecute the war with vigour and effect, and with a chance of taking advantage of an opening for negotiation for peace, if such opening should present itself. Whatever was the opinion of the House previous to the events of the late campaign, he was persuaded it could not be shaken by any circumstance arising from the depression or despondency of our ally; and in point of policy it was confirmed by the relation in which we stood with regard to that ally at the present moment. As to the general statement of the supplies of the year, His Majesty had laid before the House the accounts of the engagements which it had been necessary for him to contract with the different powers of the Continent, at the same time it had been stated that his engagements from unforeseen events might be liable to be altered. The House had found no hesitation in complying with His Majesty's desire to carry them into effect, and had voted a sum equal to that he should have the honour of proposing. The charges, over and above the 2,500,000*l.* for the supplies of the army, were the 2,500,000*l.* to the Emperor of Germany, the Elector of Bavaria, and other Princes of the empire, and 500,000*l.* as a compensation for the forces furnished by the Emperor of Russia. The specific sum to the Emperor of Germany was 2,000,000*l.* and that to the Elector of Bavaria

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and the German Princes 500,000*l.* In addition to these sums, which amounted to 3,000,000*l.* he had stated in February last that the sum of 1,771,000*l.* would be required for unforeseen expences ; on this head he meant at present to propose no more than 1,400,000*l.* He would now state the leading articles to which it was to be applied ; and first, it was to be observed, that in addition to those powers with whom His Majesty had entered into treaties, there were others, the terms of which had not yet been fully arranged, or, if arranged, had not been ratified ; on the other hand, it was obvious, that the treaty with the Elector of Bavaria could not, from the circumstances which had taken place in his dominions, be carried into effect. There was, however, another sum which had been advanced to the Emperor, that could not properly be made the subject of a pacific vote, and had arisen from this circumstance : when the Imperial magazines of Stockach had been taken by the enemy, there had consequently been a very considerable pecuniary loss to the Emperor. His Majesty upon this occasion had considered it unjust that the whole of that loss should have been borne by the Emperor ; and, without waiting for any communication from the Emperor upon the subject, he had signified his intention of bearing a part, and had accordingly remitted 150,000*l.* towards defraying the loss. Besides these charges there was a charge for the expence of the troops commonly called the Corps of Condé. The sum, therefore, which he should think it necessary to call upon the Committee to vote would be 4,500,000*l.* The sum he had proposed in February last had been 4,700,000*l.* or 4,800,000*l.* consequently the present one was so much less than what the House had already sanctioned. He was not aware that it was necessary for him to trouble the Committee with any thing farther ; but concluded by moving the first resolution, " That a farther sum, not exceeding 1,500,000*l.* be granted to His Majesty, to enable him to fulfil his engagements with the Emperor of Germany."

Mr. TYRWHYTT JONES said, that notwithstanding the right honourable gentleman seemed to think that no Member would oppose the present vote, he should, for one, think it necessary to say a few words. When he had asked a few weeks ago what would be the amount of any subsidy to the Emperor that might have been in contemplation, God knew he little thought that a treaty had been entered into, calling for such a sum as 2,000,000*l.* He was sure the country was unable to bear it. It was well known, that there had not been any interest paid on account of former loans. But the right honourable gentleman talked of peace. He sincerely hoped the period would arrive when the country would

enjoy that blessing ; but it did not look much like it, when Ministers were demanding 2,000,000*l.* to send to an ally. They might smile as much as they pleased ; but he should enter his protest against sending any more money out of the country to subsidize foreign powers. Nearly one million had already gone ; he observed by the treaty, that the first advance was to have been early in the month of July ; he therefore concluded the sum stipulated to be advanced had already been sent. Besides, he did not approve of the terms of the treaty ; there was something in it that tended to the prolongation of the war. We engaged not to treat with the enemy, or receive any overtures, either for a private peace, or general pacification, without acting in concert with the Emperor of Germany. If Ministers could be justified in making such a treaty, it could only be upon their having sufficient reasons to rely upon the good faith of the Emperor. Was that the case ? Could he be relied upon ? Had he not once already made a separate peace, and would he not do the same if it suited his purpose ? Had he not taken our millions without either repaying principal or interest ? There was no reason on earth for being satisfied with the good faith of the Emperor. He hoped Ministers would pause, after eight years of war, and not rashly continue it by voting a subsidy of 2,000,000*l.* especially in so thin a House. He protested, from the appearance of the House, he should have supposed, if he had not heard the right honourable gentleman harangue, that it had met merely to discuss the pawnbrokers' bill, or a turnpike bill, instead of voting away what together amounted to 4,000,000*l.* If they went on in this way, sending the public money out of the kingdom, though they might despise such an individual as he was, they would not despise that spirit of indignation which the people would not fail to express. The fact was, the country was not able to bear the burthens with which Ministers oppressed it, for the sake of enabling them to carry on a war, which they were determined should be *bellum ad internecionem*. It was impossible he could agree to the motion of the right honourable gentleman, when he knew the ruin it would bring upon the country. The grand ally, of whom the right honourable gentleman talked so much—what was his situation ? He was defeated, ruined, and unable to resist the enemy. It was impossible—it was not in human nature (of which so much had been said), that the war could go on upon such a system as the present one.

Mr. I. H. BROWNE maintained, that the House had no reason to hesitate in the smallest degree with respect to the faith of the Emperor. For himself, he had no distrust whatever of that Prince's

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fulfilling his contract. He was fully persuaded that it would be impossible, in the present state of France, if the Emperor made a separate peace, for this country to make one afterwards: it was, therefore, necessary that the two powers should act in concert. So far from thinking that this country was not in a condition to send money to subsidize its allies, the accounts of the last quarter were proofs of its increased wealth. He should be extremely sorry to see that wealth expended extravagantly in a fruitless war; but he was no less averse to making peace with such a ferocious enemy as the one with which we were contending. With respect to the thinness of the House, he did not see why a full attendance should be required; all that was necessary to inform gentlemen upon the subject had been stated at the opening of the budget. The lateness of the season too was some palliation for the neglect in attending. He was of opinion, that no event could have been more fortunate than the coalition of this country with the Austrians. With regard to the reverses they had sustained, the accounts of them had been very imperfectly published; but if they were true to the full extent at which they had been stated, it was no reason why they should be depressed; but on the contrary a reason for exerting themselves to retrieve their losses by prosecuting the war with vigour, and for inducing us to assist their endeavours to the utmost of our power. He admitted, if the war had ever been carried on for the re-establishment of the House of Bourbon, that object was completely out of sight. It was not upon such ground that he had ever supported it; he had ever considered it a war of self defence. It had been so; it had enabled us to preserve our lives and properties, and been the means of securing order at home and of suppressing rebellion abroad; further, it had raised the naval and military character of the country to a pitch of grandeur and renown at which it had never before arrived. It was a war on the result of which he congratulated the House. He was, therefore, for continuing the war, persuaded that the bravery of our seamen and soldiers, and the exertions of our allies, would eventually obtain an honourable peace. Not to persevere, would be to incur the charge of pusillanimity. Whatever sacrifices in money had been made by this country, they bore no proportion to those of Austria in the loss of her subjects. There never had been a war in which fewer British subjects had been killed. The court of Vienna had persevered with the most laudable integrity and good faith; and he was persuaded there was not a man in the House, who was not convinced that the present treaty would be as permanent as it was honourable and advantageous to the contracting powers.

Mr. MARTIN observed, that the Minister seemed disposed to ride his war-horse over every Member in the House. For his part, he was so far from thinking the present motion one which ought to pass without opposition, that he never in his life more lamented his inability to express the indignation with which it had inspired him. From the very first moment of the connection of this country with foreign powers, he had been of opinion that they tended to the misery, not only of our own people, but of all the world. He never would vote a single penny for promoting continental alliances. What had been the consequence of them? they had been the means of increasing war and bloodshed. What occasion had Great Britain to resort to the assistance of continental powers? Why were we not content to defend ourselves by the courage of our brave seamen? Why prolong the period of war and bloodshed all over the world, by paying foreign powers to fight for us? He had no personal disrespect towards His Majesty's Ministers; on the contrary, he knew them to be men of great abilities; but he wished they would make a better use of their abilities than they did. Their exertions ought to have been directed to the means of keeping the world in peace and tranquillity, not in involving in war and misery. What had we gained by our continental alliances? A right honourable gentleman was pleased to make use of high sounding, pompous phrases, about magnanimity; but he would ask the honourable gentleman who had spoken last, and who, he believed, was a worthy man and a good Christian, whether he did not think it would have looked better to have talked of a lasting peace? It was to be wished, that that honourable gentleman, instead of tapping Ministers on the back—[Mr. Hawkins Browne sat immediately behind the Chancellor of the Exchequer]—would give them a little Christian advice to put an end to the war. He regretted that the House had ever been so far duped as to have voted a penny for foreign subsidies. For himself he was determined never to concur in a measure that he conceived fraught with such mischief.

Mr. TIERNEY said, he thought he should deserve ill of the House, ill of his country, and ill of all Europe, if he gave the vote which the Minister had called upon him to give. If any thing in the conduct of that right honourable gentleman could have surprised him, it would have been the lofty tone of voice in which he had desired the House to agree to the present motion. If ever there had been a day in which it would have become him to have come down covered with sackcloth and ashes, it was the present; instead of which he had, in a few words, desired the Committee to vote—what? A sum not less than four millions. An honourable gen-

tleman had said, the present was a war of defence. There ought to have been stated some grounds for such an assertion. God forbid, if such was the fact, that any man should be found backward in affording Government every assistance ; but the fact was not so. It was an unjust and unnecessary war, begun and carried on to gratify the inordinate pride of His Majesty's Ministers. It was a war, the continuance of which, whatever might have been the origin of it, sprang from the obstinacy of those Ministers in not hearing what the enemy had to say. Admitting the French had been the aggressors in the first instance, yet from the date of Bonaparte's letter to His Majesty, things assumed quite a different complexion ; and Ministers were answerable to God and their country for all the blood that had been since shed, and treasure that had been expended. It was true, Ministers might have thought they had some ground for not listening to the overtures of Bonaparte, but they were no grounds for inducing the House to sanction their refusal, by stating, that they were certain of the co-operation of their allies. It was impossible but, at the very time when the Chancellor of the Exchequer was amusing the House by such an assurance, he must have known that it was without foundation ; it was impossible for him not to have known (unless the sums granted for secret services were thrown away), that the Emperor of Russia, one of those allies, was sick of the war. The fact was, Russia had soon after withdrawn her forces. If the assurance he had made had been founded in truth, how came it that the treaty with Austria had not been signed till the 20th of June ? If there had been really that community of interest between the two countries which had been said, how had it happened that the treaty had been deferred to so late a period ? They talked of not suspecting the faith of the Emperor. He did suspect him. No doubt the Emperor had flattered himself that his arms would have been more successful ; and in the event of a favourable opportunity offering of making a separate peace with France, certainly it would have been more to his advantage not to have been shackled by a treaty with this country ; but when he found that he could not obtain those advantages over the enemy which he had hoped for, he had no objection to compensate himself by a little British money ; of course he could have no dislike to a subsidy, which would not prevent him from making a separate peace when he could do so with advantage. With respect to the services the Russians had rendered to the cause in which they had been engaged, there were various opinions upon the subject : it was doubted whether they had rendered any service whatever ; however erroneous such an opinion might be, he would not enter into it.

That the exertions of the Austrians have been vigorous, was what he would not pretend to deny ; but it was to be considered what the object was that the Emperor had in view by the exertions he had made ? Was the right honourable gentleman sure the Emperor had the same object in view for which the war was professed to be carried on by His Majesty's Ministers ? The next pretence for rejecting the overtures of Bonaparte was the assistance that would be obtained in France—it was stated that the loyalists and emigrants had made head against the French Government—was that true ? Had there been any rising in France to justify such an assertion ? Must not the right honourable gentleman either have been grossly misled himself, or have wilfully imposed upon the House ? Did he not perceive that the security and stability of the present Government of France exceeded that of any republican form of government that ever had existed ? Had he not seen France under the Government of Bonaparte left for the first time without a garrison ? The fact was, and Ministers were sensible of it, that the people of France supported the government of Bonaparte, chiefly because he had manifested a disposition towards the attainment of peace. Was it possible for them to point out one single act of the present French Government that ought to be a bar to entering into negotiation ? With respect to the vote, to which it was said there ought not to be a whisper of opposition, he trusted the House would not consider it so much a matter of course. By what means had the right honourable gentleman entitled himself to such credit ? Was it not true, that all the boasted successes of the Russians in the last campaign had been completely done away in the present one ? Had he not by his intemperate rashness prevented the country at this moment enjoying the advantages of peace ? Had he not refused to listen to the reasonable propositions of the French Consul ? He would not ask what the object was that Ministers now hoped to obtain ; the utmost they could hope for was, that things should be restored to the situation they were in at the commencement of the present campaign. No man could look to any successes on the part of the allied arms to counterbalance the vast and gigantic strides of the French. Was it just, therefore, to confine the Emperor to a war which would terminate in his ruin, by bribery ? Were not Ministers justifying, by their conduct, the assertions contained in the French papers, that nothing but the gold of England prevented Europe from enjoying a lasting peace ? Would they say the Emperor had it in his power, even if he were willing, to carry this treaty into effect ? Would they say there was not negotiations at this moment carrying on, and in a state of forwardness, between

the Emperor and the French? What was to be gained by the 2,000,000*l.* that we were lavishing away. Had the country any security that the Emperor would not make a separate peace? The treaty, he observed, was only to last till February. What services could the Emperor render in the course of the few months before that time, that could possibly be worth 2,000,000*l.*? It was said, that the least suspicion ought not to be entertained of this great ally the Emperor making a separate peace, without communicating with Great Britain. Certainly nothing could justify such an injurious suspicion but experience. Was it not the fact, that during the existence of a treaty equally as strong and as binding as this was, he had entered into a separate treaty of peace, which had lasted a year? All then that could be said was, that truly he was an upright Prince, disposed to perform the treaties he entered into; but when the pressure of war, and the unfortunate result of his arms, compelled him to act otherwise, he was to be pitied, not blamed. What reason was there for supposing he would not again be reduced to the same difficulties that had before induced him to violate his treaty? Were not the armies of France, at this present moment, commanded by generals of the most consummate skill; and, what was most important, by generals distinguished for their good fortune in war? Had their success even been equalled by the generals of any age or country? Events which human foresight could not have calculated upon, they had achieved. What remained for them to achieve, were events that might easily be calculated upon. Then was it just to urge an ally to his destruction? If that ally had bound himself to go the same lengths which this country did, God forbid he should oppose any obstacle—but had the Emperor avowed the same object? No, he denied the fact—nor did he think it would be any desertion of that ally to refuse ratifying the treaty. There was still time for the House to pause. The good faith of Great Britain was not called upon to go the lengths that Ministers required, with an ally whose views were different from theirs; an ally who had never professed to fight for the restoration of the House of Bourbon, or the Princes of France—but whose only object was that of his own aggrandizement. That Great Britain should send its money to a power acting upon such a principle, was a proposition he never could consent to. The right honourable gentleman had told the House, the magazines of the Emperor had been destroyed; it was certainly a most extraordinary reason for sending him 150,000*l.* If this had been a war of defence, he would have been one of the last to have contended, that a subsidy, which was the means of affording a continental diversion, would not be desir-

able. So far he was a friend to subsidies. But it was not a war of defence, nor could any one say what it was Ministers really would have, nor for what they carried it on. Vigorous measures, he admitted, were necessary. How had we co-operated in the contest? We had sent Sir Ralph Abercromby into the Mediterranean, and taken way a few cows. This was the vigorous prosecution of the war on our part; and surely it would not be pretended that such exertion could tend to the attainment of peace. If, then, our share in the struggle were of no avail, he would request gentlemen to turn their eyes to the part which our allies had acted, and see how it had contributed to that desirable end. We were told the Government of France was a feeble, decrepit Government, ready to crumble into pieces under the slightest shock, and tottering with the slightest breath. It was against the government they had to act; and yet such had been the reverses sustained in the conflict, that the most sanguine mind did not hope all our combined vigour could restore them to the same state in which they had stood six months ago; what prospect then, he asked, had we of repairing the disasters of our allies, by this subsidy, so as to enable them in the end to prevail over France? Was it hopes of exhausting her strength by prolonging the contest? He saw nothing to countenance such an expectation. The right honourable gentleman did not pretend to say that the finances of that country were now in a worse state than ever. So far from that being the case, an honourable gentleman had said, he was grown sick of the argument. But if the state of the French finances were to have any weight, and certainly it ought, gentlemen had only to look at it, and it would be found to furnish an argument against them, instead of one for them. What was now the state of the French funds? In February last, we were told they were at 17; and yet in the short interval since, this decrepit government had suffered such a renovation of its strength and vigour, that they had now risen to 33; an increase which, he contended, fully counterbalanced any favourable change experienced by ours. Now, if we had nothing to hope from the ruin of the finances of France, did the state of her armies afford any just expectation of success? A period, he contended, could not be named when her youth came forward with more enthusiasm to enrol themselves in her ranks; an enthusiasm excited from one end of that country to the other, not for the purpose of aggrandizement or ambition, but to beat their enemies into peace; an object indeed formerly professed by the right honourable gentleman in common; but for some time so much disused, that of late the word had seldom escaped him. Against armies so composed and so animated,

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recent events had proved our inability to contend. Independent, however, of the insufficiency of any thing in the present treaty to put our ally on a level to cope with them, there was another light in which it ought to be considered, without entering into the facility or the difficulty of raising the money stipulated for; he meant the manner of transmitting it to the Continent. It was to be sent in specie; an operation which he contended must prove highly injurious to the country. But, admitting the money procured and sent to Vienna, could the right honourable gentleman positively say that he could get his two millions worth from the Emperor at the present crisis? He contended he could not. The supply might indeed to a certain degree recruit his strength and finances; but not to an extent that would command success: it might prolong the contest, but could not tend to bring about peace. In such case, then, all we should obtain would be an unavailing service, which, instead of bringing us to the end proposed, would only remove it to a greater distance. Yet this was the ally on whom we were to rely for obtaining security to Europe—these were the Ministers who were to prosecute the war with a vigour that must command success—this was the career to be pursued by England, after disdainfully rejecting all negotiation—after reversing all the advantages of the last campaign—after being left with a single ally. He did not question the Emperor's willingness to continue the contest; but, however great it might be, with his armies broken and defeated, his spirit must be discomfited. Every thing had vanished; all the advantages so much boasted in the hour of our arrogance had been wrested from him! and yet, with all this experience, they were to be called callous, who should oppose a continuance of the system which had produced such fatal consequences. To repair these, our money could not avail. What else then could we do, and how were we further to contribute to that end? Our fleets could not achieve new triumphs, for there were no fleets to oppose them. To what use then could so much of these two millions as remained unpaid be now applied, if, as he had already contended, it could not change the state of affairs on the continent? A small island might indeed be conquered; but that he believed was not an object worth disputing about, or one that was likely to be urged as a justification for the continuance of a war involving so many sacrifices. The question, as he conceived, was, could the war be avoided? If it could not, he was as ready as any man in that House to support it. But he contended, it could be avoided. It was his positive opinion, that a peace could be procured within one month from that day. He acknowledged, however, he did not look forward to such an

event. From his knowledge of Ministers, he could not expect it from their hands. No amicable negotiation could be entered into between His Majesty's Ministers and Bonaparte. All then that could be expected was, that the Minister would at length be compelled to make peace. When our allies were down, when Bonaparte had proved his strength, then, no doubt, he would find security. He could not find it in our success; it could, therefore, be only had in disaster; and the hour which should be the very last for us to make peace would be the first chosen. But the right honourable gentleman might say, he was entitled to change his opinion; and that whatever his sentiments might have once been on the subject, it did not follow that they must remain invariable. He admitted indeed, no man had ever displayed more magnanimity in changing opinion than the right honourable gentleman. What he contended for was, that no such change had taken place. The honourable gentleman himself had made no such avowal. Supposing him to do so, should he declare that he now felt a cordial inclination for peace, should he retract every thing which he had ever said against negotiation, it might be of some avail. But the right honourable gentleman had manifested no such change, he expressed no such inclination. Under these circumstances, then, if we looked to the gigantic power of France, what should we expect would be its conduct? He would ask any man in that House, if he were in the situation of Bonaparte, and if he saw no cordial intention to lay aside all hostile feeling, he would ask even the right honourable gentleman himself, whether, with all his moderation, he would be disposed to enter into negotiation with such an adversary? France might say on her part, "We will have security, as well as England, before we make peace," and thus the war may be continued to any indefinite length of time. On this system, poor indeed was the prospect of peace to the world. Ministers, by the manner in which they had carried on the war, had become a by-word and laughing-stock from one end of Europe to the other. From what quarter could they expect their panegyric? it could not be from Prussia, or the Emperor Paul; the only power it could be expected from was the Imperial Court, on whom we were liberally squandering our money. In what way then could the present Cabinet be entitled to the name of statesmen? In one way alone they had succeeded; that was, in embroiling and overturning all Europe. True it was, that our resources were great; but they might be exhausted. He did not doubt but experience, and the evidence of facts, would be complete at the last payment of the subsidy, on the 28th of February next. The Emperor was pledged to continue

our ally no longer. It would then be seen, that some farther subsidy was necessary. The right honourable gentleman must then fly to new topics to rouse the languid spirit of the country to a continuance of the war; but why this prospect of farther waste of blood and treasure? Could not the right honourable gentleman see that no good could be obtained by war, unless unanimity was accomplished by a fair avowal of a disposition to negotiate for peace? That this was attainable, should the desire be sincere, was fully evident. But peace, while an ember of jacobinism remained unextinguished in France, was considered unfortunately as only a mitigated state of war. The interest of the country he felt for as much as any man, and this made him disavow any such sentiment or belief. Should such a danger as the infection of jacobinism be feared, war was not its proper remedy, but negotiation. But His Majesty's Ministers might say, "If negotiations of peace were opened, the terms would be so disadvantageous, that they could not be accepted." True, but the sincerity of Bonaparte would, by negotiation, be tried; his ambitious schemes, if he had any, would be fully developed, and his antipathy to this country be made conspicuously to appear, if any such was entertained by him. Should such a display of character as this take place, he (Mr. Tierney) would then spend his last shilling as readily as any man in the support and protection of his country. He was confident, however, that a contrary disposition would appear; and this country, by losing the favourable time to negotiate, would soon find herself standing singly against the whole power of France. No man could say that the German empire was not in a perilous situation, and that in the extreme. Another victory might open to the enemy a way to the very gates of Vienna. This, therefore, was the time to exercise our caution and prudence; and while affairs remained in such doubtful balance, to take care of our resources, that they should not be uselessly wasted. The scale of the present national expenditure was immense—no less than 64,000,000*l.* would be wanted for the current expences of the present year. The question was, could the war be continued at such a rate? He advised Ministers to look at the internal state of the country, and ask themselves if this was the time to send away money?—Should, indeed, peace be produced by such a pecuniary sacrifice, it would meet with no objection from him; but he was afraid that the money would be lavished in carrying on the war (as it was called) with vigour. Ministers, he believed, did not think of peace. They thought it a bad thing. The Minister himself had candidly said, that negotiation was more prejudicial than war. He did not at all blame

Ministers for their motives ; but he would not vote for their lavishing away the money of his constituents. All he wished to see was a cordial disposition on their part of making peace ; but believing, as he did, that the money about to be voted would not produce that desirable end, he could not approve of the measure. He was far from wishing to desert an ally ; but he could not comprehend how the Emperor was to be saved, or the condition of this country benefited, by passing the vote of this evening. Two millions could not invigorate defeated armies, nor reinstate the losses of the campaign. The Emperor wanted men, but these we could not send him. Though the Emperor had formerly stated that he wanted money, yet standing alone and without our assistance, his successes had been far greater than they were at present. If he could think, that voting the present subsidy would have any influence in accelerating the period of peace, he would gladly give it his support ; but seeing no such tendency, he felt that he should not perform his duty to his constituents and his country, if he were not to oppose it ; and therefore he must give it his decided negative.

Mr. CANNING said, that from what he had been able to collect from the speech of the honourable gentleman who had just sat down, there were three grounds on which the opposition to the vote now proposed to the Committee was attempted to be maintained : First, that an avowed vigorous prosecution of the war was not the way to arrive at peace ; secondly, that the Emperor had not hitherto afforded such a co-operation as justified Ministers for having entered into such engagements as those which were contained in the treaty upon the table, nor was he in a situation to afford such co-operation henceforward as would justify the House in fulfilling them ; and thirdly, that the present Ministers were not fit men to make peace, and that any effort therefore for that object, while they remained in office, must be of no avail.

With regard to the first of these objections, he should say but little ; because he was firmly persuaded that the House in general, and almost every Member in it, must feel, that even if there were no other purpose for which this vote was desirable but that of enabling Ministers to enter into immediate negotiation for peace with greater advantage, the declaration of such a purpose in that place would be the surest method of occasioning its failure ; and that, in order to treat for peace at any time with a chance of success, Ministers must be enabled to treat with the means of war in their hands.

As to the second point, the extent and value of the co-operation already afforded by the Emperor since this treaty was first in con-

templation, and of that which we might still expect from him, he differed widely from the honourable gentleman. The honourable gentleman argued solely on the issue of the last battle which had taken place in Italy ; and he attempted to prove from it, not only that the whole of what the Emperor had hitherto done was nothing worth, and that there was still less to be looked for from him in future, and not only that we ought therefore to refuse fulfilling the engagements contracted with him, but that Ministers ought to have foreseen the issue ; and that they are therefore highly culpable in having contracted engagements, which, if they had been possessed of such foresight, they would have known at the time of contracting them to be wholly useless and extravagant.

Now, in the first place, it was somewhat curious to consider what was the degree of foresight which Ministers were arraigned for not having exercised on this occasion. Was it that they had not foreseen the intention of Austria to abandon the alliance in the course of the campaign, or to relax her efforts, to maintain her armies in a state of inactivity, and to prosecute the war in appearance only, not in reality ? If this had been the conduct of Austria, he should have understood what was meant by accusing Ministers of want of due precaution and prudence ; because, of the intentions of an ally, it might be argued, it was their bounden duty to inform themselves accurately before they committed the faith of this country, or hazarded its wealth upon the alliance. If the armies of our ally, when put in motion, had proved weak and inefficient, incapable of making head against the enemy to whom they were opposed, and in numbers, valour, and discipline, miserably below the point at which we had been taught to rate them ; this too might be ground of accusation against Ministers, which he could not at least understand ; for it might be argued with some appearance of justice, that the real state of the armies of a power with whom we confederated, and whom we were engaging to subsidize, was a matter which it was the duty of Ministers to ascertain beyond doubt, and which they had obvious means of ascertaining. But was any failure of this sort on the part of Austria pretended ? Was it argued or believed that Austria had shewn any want of heart or of strength ? Had her armies forfeited their ancient reputation ? Had they fought as if they were either unfit for action in themselves, or restrained by the timid or treacherous policy of their Court ? Let that very battle, on the issue of which the fate of the war was supposed to have turned ;—let the battle of Marengo, contested as it was with an obstinate bravery and with a variety of fortune which have few parallels in history, bear witness that Austria had not been wanting in exertion, and that the

arms of Austria had lost nothing of their prowess or of their glory ! But no ; it was the issue of this very battle that Ministers ought to have foreseen ; they ought to have foreseen that on one battle would turn the fate of the whole campaign, and that the issue of that battle would be unfortunate to our ally. If so, they ought to have foreseen what was not foreseen or conjectured with confidence two hours before the final event of that day, by either those who lost or those who won the battle, by General Melas or General Bonaparte ; what up to the very end of the engagement was so doubtful, that if a courier had been dispatched from the plains of Marengo two hours before the contest actually ceased, he would have announced the victory as inclining decidedly in favour of the Austrians (and then to be sure the admirable foresight of Ministers would have been as willingly commended as the want of it is now justly censured) : they must have foreseen, not that two armies, of force so unequal, of spirit so ill-matched, as to admit of little struggle for superiority, would meet and decide without difficulty the pretensions of two rival powers ; but that the victory, balanced for many hard-fought hours, and at one time almost decided in favour of the Austrians, would by a sudden manœuvre be brought over to the side of the enemy ; that at eight o'clock a body of 250 French horse would break in upon the triumphant and pursuing Austrians, throw them into confusion, and turn the fate of the day. All this Ministers must have foreseen, to be enabled to act upon their foresight ; for if their sagacity had failed them an instant before the conclusion of the battle of Marengo, all the rest would have gone only to mislead them. And for not foreseeing all this, they are to be condemned as men utterly incapable of conducting the affairs of the country ; as having lavished its treasure, and pledged its good faith, and hazarded its safety, on rash and idle speculation ! So little (Mr. Canning said) could he agree in the justice of these imputations on this ground, that he was ready to contend, on the contrary, that even if they had been possessed of this extraordinary and preternatural power which they were so much blamed for wanting ; if they could have known that the course of the campaign would lead to a situation in which the hopes and fortunes of the whole would be staked on the issue of one battle between the Austrian army in Italy, and a French army with Bonaparte at its head ; if they could have foreseen, not indeed that the battle would be absolutely lost by the Austrians, but that it would be fearfully contested, and that the victory would be to be decided by one of the most anxious and doubtful struggles that ever took place ; he should say, that with all this fore-knowledge, Ministers would have done wrong not to

have pushed things to such a trial ; that they would have done well to purchase at the price of the whole of the subsidy now to be voted such a chance for the safety of Europe: for, see what was the alternative ! If the victory did not remain with Austria, there was undoubtedly much to regret, and much to repair ; there was difficulty and danger to be struggled with by the Emperor, perhaps now, and great exertions to be made on the part of Great Britain. But put the other case, and suppose Bonaparte defeated in this one battle ; and who was there that doubted that there would have been an end of him and his power ? To our ally, the event, such as it had turned out, was failure and mortification and embarrassment ; to the enemy it would have been utter destruction ; and it would in that case have brought about the conclusion of the war, in the way which would most effectually have secured the restriction of the power of France, and the independence and tranquillity of the rest of the world. So far, therefore, from thinking Ministers blameable for not having foreseen and avoided the hazard of the battle of Marengo, he was ready to contend, that if they could have foreseen and contrived such a trial of the fates and fortunes of the opposing armies with such an alternative before them, the event, even as it now appeared, would have justified them in having done so.

As little could he agree with the honourable gentleman in the opinion, that, whether Austria were worth having or no at the beginning of the campaign, she was not worth having now ; and that, after having made these engagements with her, we were at liberty to retract them. It was said, that the sum proposed would be of no efficient use to the Emperor, whose armies were destroyed, his dominions drained of men and money, and his whole power utterly exhausted and broken down. It was suggested, that we had not signed the treaty, and that there was therefore yet time for refusing to fulfil it. It was even hinted, that the Emperor could not honestly ask for the fulfilment of engagements contracted with him under other expectations than those of complete failure and disappointment ; and that when he applied for money under such circumstances, the application deserved to be rejected in terms of indignity and reproach. Mr. Canning said, he could not help observing that there appeared to him something ungenerous and illiberal in this way of seeing the subject. He was not prepared to turn round to an ally the moment that ally became unsuccessful, and to address him in the language suggested by the honourable gentleman's observations : " Go ; we have nothing now to say to you ; your claim upon us is at an end : we made alliance with your strength, and you have brought us failure ; we bargained with your hopes, and you have given us

disappointment ; our engagements were with your good fortune ; we abjure all fellowship with your distress !” Such, Mr. Canning said, was not the language which he could use, nor the sentiments which he could bring himself to entertain, respecting an ally, who, with whatever success, had certainly fought manfully by our side.

Indeed, he could not but feel some surprise at the manner in which gentlemen seemed to think it becoming to treat the Emperor on the present occasion. It was not new, indeed, to find in any men, it was the common feeling of our nature, a blind admiration of success ; and he had therefore heard without much astonishment the expressions of admiration which (not on that day he believed so much as on a former day, when he happened not to be present at the debate) gentlemen had bestowed upon the Chief Consul and his victory. But he had hoped that, whatever might be the undistinguishing and incurable insensibility by which vulgar minds are hardened to the perception of real merit, if unaccompanied by success ; he had hoped that, with liberal and intelligent minds, though the first impression might be, as it had been, that of astonishment and admiration at the fortune of the victor, the second, and not the less powerful nor less permanent feeling would have been that of compassion and just praise to the courage, the constancy and the magnanimity of the vanquished. He had thought that, even if we had been unconcerned spectators of the great contest which had been carrying on in Italy ; if we had merely read in history of such events as had taken place there, and such a result as they had led to ; we should naturally have sympathized with misfortune so bravely struggled against, and so manfully borne. And if such would have been the natural feeling in an indifferent case, he had imagined (but in this he found himself cruelly mistaken) that even the crime of being our ally, even the disqualification of an united interest and a common cause, would not have been sufficient wholly to deprive Austria of a title to our respect and compassion. He had imagined that, after being hurried by the first impulse of their astonishment to mix in the mob that shouted at the heels of Bonaparte, gentlemen would, as soon as they recovered their reflection, have been eager to do justice to the Emperor, by acknowledging the fortitude with which he bore his reverses, and by doing all that in them lay to enable him to repair them.

But no : the Emperor was to look for no such comfort, no such credit here : instead of being soothed and consoled under his misfortunes, he was to be taught with reproaches that he did not yet rate them sufficiently high, that he was not aware of their full extent

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and malignity ; instead of being encouraged to retrieve his losses, and receiving the promise of a cordial assistance, he was bidden to despond and despair, to consider his fortunes as utterly hopeless and irretrievable; and was even taunted as an impostor and a swindler for proposing to us to assist him in the attempt to retrieve them.

No doubt the honourable gentlemen must know the state of the Emperor's affairs much better than he did himself. He could not help feeling, however, that the Emperor's own word went for something in this matter. The honourable gentleman put him in mind of a scene in a French comedy, (he believed one of Moliere's,) where a man is made to believe that his neighbour is dead ; and an attempt, not quite so successful, is afterwards made to persuade the reputed dead man himself that he really is so. Presently after, the two neighbours meet in the street, and the supposed corpse not only avers himself to be alive, but actually proposes to borrow money of his friend ; the friend is naturally enough in great indignation at such effrontery—" You borrow money, indeed ! a pretty story, truly ! lend my money to you ! why you know you are dead ; you died yesterday ; I have it from the best authority ! Poor dear Anselm ! I am truly sorry for him ; but dead you are sure enough, and you get no money of me by pretending to be alive, I promise you." Such was really very nearly the substance of the dialogue which the honourable gentlemen were for holding with Austria. But he for his part thought the word of the living man a pretty good answer to those who would have believed him dead—and upon nearly the same principles he was inclined to admit the evidence of Austria in her own behalf, as proof that she was not so utterly undone as the honourable gentlemen would fain have the House believe, and would, if they could, persuade Austria herself to acknowledge.

The testimony of Austria, however, the honourable gentleman contended to be rather suspicious on this point ; because, said the honourable gentleman, the Emperor has an interest in deceiving us ; he wants to finger our money. This, no doubt, was a sagacious discovery ; but surely in this instance the sagacity was a little overstrained. The money, as the treaty explained, was to be paid by instalments, the first of which only was now to be made good ; and if, after receiving the first, the Emperor should fail in the execution of his stipulations, no further payment would be made.—Where then was the risk to this country ? or what object could Austria have but that which was fairly put forward ? If the first payment was now made, would it not be made for work done ? If General Melas had drawn the draft for it in the plains of Marengo, would the honourable gentleman have refused to pay it, on

the plea that we had not had any valuable consideration for our money? or, when he considered the exertions of Austria, from the moment at which this treaty was first proposed, to that in which he now wished us to hesitate about completing it, would he not feel himself compelled to acknowledge that the payment, so far as was now to be demanded, was fairly earned? Besides, the honourable gentleman had said in another part of his speech, where it suited his arguments, and had said most truly, that the whole of the sum to be furnished by us by way of subsidy was inconsiderable, compared with the general scale of the Emperor's war expenditure.— See therefore what it was that the honourable gentleman imputed to the Emperor; what extravagant and incredible folly, as well as wickedness, when he represented him as purchasing our subsidy at an expence which must swallow up, not the amount of it only, but the whole of the revenues of his own dominions into the bargain; as exhausting the blood of his subjects, and exposing his very capital to imminent danger; merely—for what? that he might cheat Great Britain of a sum of money! Was there sense or probability in this policy? Was it possible that any government or any individual would play such a game for such a prize—would hazard their whole fortune, nay their very existence, in order to have, not the possession, but the disposal of a few hundred thousand pounds, to be swindled from a friend? And even if such were the unaccountable madness of our ally, did not the paying by instalments give us a sufficient power to disappoint so absurd a design the moment that it shewed itself?

The remaining objection of the honourable gentleman was one that applied more largely, not to this subsidy only, but to every measure that went in any degree to strengthen the hands of the present Ministers, either for the prosecution of the war, or for the negotiation of peace. The honourable gentleman gave it as his decided opinion that the present Ministers had utterly disqualified themselves for conducting the war to an honourable termination, and even for treating for peace with a Government, at the head of which is a man whom, as the phrase is, they had abused so grossly: Bonaparte could never be expected to listen with patience to the proposals which such men might offer to him, or to offer them any terms but such as it would be disgraceful and disastrous for the country to accept. Mr. Canning said, that as he was himself no panegyrist of Bonaparte, he was not interested in refuting this calumny upon his character, which his admirers were unaccountably (as he thought) so forward in throwing upon it. He was not the person to proclaim Bonaparte as a hero, excelling in every great quality of the mind all

those who have gone before him in ancient or modern times ; but if he had been such an enthusiast in his admiration of Bonaparte, he should have felt it rather awkward to mix with these praises an imputation of such meanness, such littleness of feeling, of such a poor, creeping, pusillanimous spirit, as was implied by saying, " this great man, with all his magnanimity, has one trifling peculiarity : he cannot bear to be spoken of with disrespect ; he never treats with any Government who have talked lightly of his character and conduct ; it is a rule with him not to do so ; rather than conclude a peace with such men, he will continue the ravages of war, the distress of his own country, the interruption of the happiness of private families, all of which he has himself told us he naturally wishes to avoid more than any other man alive ; but he will continue them for ever rather than negotiate with men who have spoken ill of him !" How far this might be the character and feeling of this extraordinary man, those who most admired him were best qualified to tell.

For my own part (said Mr. Canning), having taken some share in former debates, in which that which is called *abuse* of Bonaparte was necessarily introduced, I am not sorry to have an opportunity of saying a very few words upon this subject, especially as I understand that, beside what has fallen from the honourable gentleman to-night, much more has lately been said in this place (which I had not the good fortune to hear) of the unmanliness of the attacks which were made on the character of the First Consul at the period when his overtures for negotiation were declined by this Government, and of the shame which those who had any part in this language are now supposed to take to themselves, and the anxiety which it is apprehended they must feel to retract and disavow all that they then so rashly and illiberally uttered. Now, Sir, as I feel no sort of shame, and entertain not the smallest disposition to retract any thing that was then said, I wish to explain the principles upon which I spoke, and upon which I now maintain whatever I did then say. I do not know whether the honourable gentleman will quite understand me, because I do not know that we set out to argue this matter from the same principle ; and if not, there is no hope of our coming to any understanding. My principle, Sir, is simply this : There is but one thing, which I never wish to forbear speaking when called upon, and which, having spoken, I can at no time feel ashamed of, nor consent to disavow, retract, or qualify ; and that is the truth. If what was said of Bonaparte was untrue, that is an accusation of which I know the meaning, and which, if need be, I am prepared to argue. But if

It was true, I confess I am at a loss to conceive where the shame lies, or where the necessity for contradicting it. If indeed the nature and essence of truth were capable of being altered by subsequent events, there might be some call for caution in uttering it, and there might be some room for qualification afterwards. But if this be not the case, I really do not comprehend what is meant by desiring us, who said what we thought of Bonaparte's past actions at the time when we were called upon to examine them, and who still think precisely what we said of them, to take any shame to ourselves for our language. I at least still think as I then thought; and I do not see what ground the events of the last campaign can furnish for changing my opinion. If, for instance, in Bonaparte's invasion of Egypt (for that was one of the points more particularly brought forward in these discussions), there was treachery and fraud; if, in his conduct towards its inhabitants, there was unprovoked cruelty; if, in his assumption of the turban, there was impious hypocrisy; I called these qualities by their name: I call them so still; and I say that this hypocrisy, this cruelty, and this fraud, have left indelible stains upon his character, which all the laurels of Marengo cannot cover, nor all its blood wash away. I know, Sir, there is a cautious, cowardly, bastard morality, which assumes the garb and tone of wisdom, and which prescribes to you to live with an enemy as if he were one day to become your friend—I distrust this doctrine for one reason, because I fear the same mind which could pride itself on adopting it, would be capable of entertaining the doctrine which is the converse of it, and would prescribe living with a friend as if he were one day to become an enemy. If this be wisdom, I do not boast it; I can only say, Heaven grant me a host of such enemies, rather than one such friend!

“ So much, Sir, as to the moral question upon this point. But then, as to the practical result, what is it that gentlemen are afraid of? Do they seriously apprehend, that with such declared opinions of Bonaparte's personal character, Ministers can never treat with him? Nothing surely can be more visionary than such an apprehension. If the nation with whom we are at war, thinking (I suppose) for reasons of its own, more favourably of his character, or for whatever other reason, chuse to make this man the depositary of the power of the State, and the organ of its intercourse with foreign powers, Ministers may lament—they may be surpris'd at such a choice; but where did gentlemen learn, that between these Ministers, and a Government whose character and principles they disapproved, there could be no treaty? Not from the experience of the present war; for in the time of the good old Directory, what

floods of abuse were poured upon our Ministers from the reading-desks of the Assemblies ! and yet I never heard this urged as an impediment to treaty, either on the part of France or of this country. Not from the history of former wars ; for in the wars against Louis XIV. the addresses carried up from this and the other House of Parliament, nay the sacred lips which spoke from the throne of this kingdom, breathed stronger invectives against that Monarch than are to be found in any of the state papers so much complained of for the harshness of their language towards Bonaparte ; and yet I never heard that these just invectives were considered as throwing any obstacle in the way of negotiation ; or that, when the time of negotiation came, the conclusion of peace was in fact retarded by them. But perhaps there may be some distinction to be taken ; perhaps the dignity of a lawful Sovereign will bear without wincing rougher language than that with which it is decent or delicate to tickle the ears of an usurper.

But neither, Sir, was the attack upon the character of Bonaparte a wanton and unprovoked attack, as the honourable gentleman would represent it. When Bonaparte challenged us to acknowledge and act upon the stability of his Government before it was three days old, we doubted, as well we might, the stability of such a Government, and thought all probabilities against it. To clear up our doubts, he referred us to his personal character, as the pledge both for the permanency of his power, and for the use which he would make of it. What were we to do ? to acquiesce, without examination, in what we heartily and in our consciences disbelieved ? or to examine the value of the pledge which was offered us, and to give our reasons for not being willing to accept it ? We preferred the latter alternative, as in fairness and in common sense we were compelled to do. What ground then had we to estimate Bonaparte's personal character, but his past actions ?—These, therefore, we were obliged to scrutinize ; in scrutinizing them we were struck with their deformity ; and that deformity we were obliged to expose to the world as a justification of our own conduct.

If the event has contradicted the expectations which it was natural to form under the circumstances of the time ; if the extraordinary, and certainly unlooked-for successes of the campaign have given stability to Bonaparte's power (for the present, at least—whatever may and must, in all human probability, be the ultimate fate of a power so acquired, and resting on such foundations) ; if the battle of Marengo, though it did not overthrow Austria, has subjugated France ; undoubtedly this change of circumstances may au-

authorize and warrant a change of policy ; and supposing the time to arrive when negotiation may be in other respects proper, undoubtedly (speaking my own individual opinion) I should say that the question of Bonaparte's power would not now stand, as it before did most necessarily stand, in the way of negotiation.

It is indeed not surprising that some gentlemen should wish to inculcate the apprehension, that an insurmountable obstacle to peace exists in the personal resentment and personal antipathy between Bonaparte and the present Ministers of this country ; as the obvious cure for such an incompetency on the part of Ministers here would be to remove them. And I have been told that the proper steps have already been taken in this House to advertise for the succession to them. The usual and approved method on these occasions is, I believe, for a gentleman to contend with all his might for the necessity of a change ; and, while he argues that fitter men must be found to replace the present Ministers, to disclaim for himself any pretension or wish to be selected for that purpose. Hereupon the House is expected to express, by some token of acquiescence, its approbation of the change, and its dissent from the self-disqualification of the proposer. And " upon this hint he speaks ;" but this hint, I am told, the House unluckily did not give on the occasion to which I allude. The change was proposed ; the expediency of speedy new appointments suggested ; the self-disqualification stated : but, all this while, the House did not appear to be at all moved ; and so the thing fell flat ; and, for the present at least, no change of Ministers seems to be required.

The one plain question now before the House is, whether or no they will enable those Ministers, while they have the conduct of affairs, to conduct them in such a manner as may make either war vigorous, or peace attainable ? or whether, by the refusal to sanction the engagements which they have entered into with our ally, who has certainly fought the battle manfully during this campaign, and who declares himself still ready to persevere in our alliance, Ministers are to be disabled from either continuing the war with effect, or negotiating with credit or advantage ? It is for this House to consider, whether the interests of the country will be best promoted, its character best maintained, and an honourable peace ultimately best secured, by breaking our engagements, by slackening our exertions ; by giving proofs of bad faith, cowardice, and pusillanimity ; by turning our back upon our ally, and resigning ourselves to a blind and stupid admiration of the prowess and fortunes of our enemy ; or by fulfilling our engagements in the same spirit in which they were contracted ; by furnishing the means of carrying on the war

with vigour, in order that we may meet the hour of negotiation with dignity and confidence in ourselves; and by determining that, in whatever event, we will have nothing to lay to our own charge; that we will secure under all circumstances the consolation that we have not been wanting to ourselves or to others; and that, while we have provided most effectually for our own safety and honour, we have at the same time done all in our power to afford to the other States of Europe the means of maintaining their security and independence?

One word, and only one word more, upon a part of the honourable gentleman's speech, which I had nearly overlooked: The honourable gentleman tells us that Great Britain is become, by the folly of her present Ministers, the dupe of most of the powers on the Continent, and the laughing-stock of them all. I would answer this from another part of the honourable gentleman's speech, in which he also tells us (and it was some comfort to hear it), that such is the envy which the situation of this country has excited throughout Europe, that we are in imminent danger from a confederacy, formed for the express purpose of reducing our exorbitant power and greatness. Now, Sir, how both these things can be true, I am at a loss to conceive. Contempt and envy do not usually exist together with respect to the same object. But if they be both true, and if the effect of the misgovernment of Ministers has been only to increase the power and prosperity of the country; if, through their blunders, we have been duped into wealth, and deceived into aggrandizement; if we have been deluded and misled into a degree of greatness and power which excites the jealousy of our deluders; happy is that country whose misconduct turns out so fortunately for itself; and long may such misconduct, if such be its consequences, continue.—*Velim, mehercule, cum istis errare, quam cum aliis recte sentire!*

Mr. NICHOLS said, the scarcity of money liable to be created by sending two millions of specie out of the country might be a serious inconvenience, particularly at this time, when, if the importation of corn was as great as it had been, and perhaps ought to be now, the money wanted for that purpose would be no less than six millions. The country had been brought into very desperate circumstances, from which he heartily wished to see it rescued; and should it be rescued, he would call it a fortunate and highly-favoured country indeed! Peace was all that was wanted; and if attained, he did think the affairs of the country might be gradually retrieved. Seeing things in this light, he could not but approve of the subsidy; and he would mention a few of his reasons for so doing. He

considered the subsidy as voted to the Emperor to retain him as our ally in a negotiation which must speedily take place, since the objects of the war, in the opinion of every sensible man, were now terminated. Whatever it was here called, whether by the name of the abolition of jacobinism, or the re-establishment of the Bourbons, every such idea was now abandoned. On the part of France every thing wished for was obtained. The hereditary nobility were destroyed or banished. The French had the government they wished, and peace was now their only desire. He voted therefore for the subsidy, seeing this juncture of affairs tending entirely to peace. It was true the Minister had said nothing of negotiation, and this he thought wise. This was a disposition which ought to be concealed. The Minister, he thought, had sense to see that nothing but peace would save the country, and integrity enough to seek it. Delay, however, in the attainment of this desirable object, should be avoided. The honourable member did not see why the Minister could not make peace; no objection on the part of France to treat with him had been evinced. Even all His Majesty's Ministers were, he thought, desirous of peace, except those who were the disciples of Burke. *Bellum internecinum* was their cry, till the restoration of the antient *regime* and *noblesse* of France. This, he was assured, was not the object of the Chancellor of the Exchequer. He had the penetration to see, that nothing but peace would save the country; and on this occasion, therefore, he ought to be supported. Bonaparte, also a man possessed of a great and penetrating mind, could see that France, possessed of every object for which she fought, at length sighed for peace: he was therefore ready to meet the first offers of this country to that effect. So clear was the duty of Ministers, that if after the ensuing recess they did not meet Parliament with peace, they would be open to the justest censure. The country required it; and without it, he did not think our institutions, either in Church or State, however good and venerable, could long subsist. The distress of the country was very great, though little thought of by those who lived in the metropolis. If an advantageous peace was to be made, it must be in conjunction with Austria; he should therefore vote for the subsidy.

The question was then called for, when the following resolutions were read:

“Resolved, That a further sum, not exceeding 1,500,000*l.* be granted to His Majesty, to fulfil the engagements which His Majesty has entered into with the Emperor of Germany.

“Resolved, That a sum, not exceeding 545,494*l.* be granted to His Majesty, to enable His Majesty to make good such sums as

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have or will become due in the course of the present year, in consequence of engagements with the Emperor of Russia.

“Resolved, That a sum, not exceeding 697l. 7s. be granted to His Majesty, to make good the like sum which has been issued to William Chinnery, Esq. at the receipt of the exchequer, out of His Majesty's civil-list revenues, to be by him paid over to Mrs. Matthews for copper coin, provided by her for the use of the settlement of New South Wales, and which has not been made good by Parliament.

“Resolved, That a sum, not exceeding 797l. 11s. 6d. be granted to His Majesty, to make good the like sum which has been issued to Messrs. Colquhoun and Harriot, at the receipt of the exchequer, out of His Majesty's civil-list revenues, for defraying the expences of a police-office at Wapping, and which has not been made good by Parliament.

“Resolved, That a sum, not exceeding 680l. 18s. be granted to His Majesty, to make good the like sum which has been issued to George Brown, Esq. at the receipt of the exchequer, out of His Majesty's civil-list revenues, for surveying roads in North Britain, and which has not been made good by Parliament.

“Resolved, That a sum, not exceeding 827l. 12s. be granted to His Majesty, to make good the like sum which has been issued to Bernard Cobbe, Esq. at the receipt of the exchequer, out of His Majesty's civil-list revenues, for an additional allowance to clerks in the office for auditing the public accounts, and which has not been made good by Parliament.

“Resolved, That a sum not exceeding 175l. 15s. 0 $\frac{3}{4}$ d. be granted to His Majesty, to make good the like sum which has been issued to William Chinnery, Esq. at the receipt of the exchequer, out of His Majesty's civil-list revenues, on account of expences of the settlement of New South Wales, and to discharge bills for stationary for public service at Norfolk Island and New South Wales, and which has not been made good by Parliament.

“Resolved, That a sum, not exceeding 370l. 9s. 6d. be granted to His Majesty, to make good the like sum which has been issued, at the receipt of the exchequer, out of His Majesty's civil-list revenues, to the clerks of the House of Commons for attendance on public committees, and which has not been made good by Parliament.

“Resolved, That a sum, not exceeding 2550l. be granted to His Majesty, to be issued to the executors of the late Sir William Chambers, to enable them to discharge sundry bills remaining due to different workmen for work done at Somerset Place.

“Resolved, That a sum, not exceeding 10481. 18s. 6d. be granted to His Majesty, to make good the fees paid on the receipt of 41,400l. voted in the present session of Parliament, as compensation to several persons for their losses in consequence of the destruction of certain ships and their cargoes from Mogador.

“Resolved, That a sum, not exceeding 30,000l. be granted to His Majesty, to discharge bills drawn from New South Wales, and which will become due in the course of the year 1800.

“Resolved, That a sum, not exceeding 50,000l. be granted to His Majesty towards liquidating the demands of the St. Domingo claimants.

“Resolved, That a sum, not exceeding 1000l. be granted to His Majesty, to discharge the demands outstanding for balances of accounts for surveys, &c. made by direction of the late commissioners for inquiring into the state of the woods and forests.

“Resolved, That a sum, not exceeding 10241. 4s. 3d. be granted to His Majesty, to defray the expence of printing the Journals of the House of Lords.

“Resolved, That a sum, not exceeding 3000l. be granted to His Majesty towards enabling the trustees of the British Museum to carry on the execution of the trusts reposed in them by Parliament.

“Resolved, That a sum, not exceeding 3000l. be granted to His Majesty, for the Board of Agriculture, for the service of the year 1800.

“Resolved, That a sum, not exceeding 5000l. be granted to His Majesty, to be advanced to the governor and company of the merchants of England trading into the Levant Seas, to be applied in assisting the said company in carrying on their trade.

“Resolved, That a sum, not exceeding 1500l. be granted to His Majesty, to be applied in support of an institution called The Veterinary College, for the year 1800.

“Resolved, That a sum, not exceeding 20,000l. be granted to His Majesty, to be employed in repairing, maintaining and supporting the British forts and settlements on the coast of Africa.

“Resolved, That a sum, not exceeding 4000l. be granted to His Majesty for defraying the charge of the civil establishment at Sierra Leone, for one year, to the 31st day of December 1800.

“Resolved, That a sum, not exceeding 1000l. be granted to His Majesty, to be paid to Mr. John Davis, upon his making a proper discovery, for the use of the public, of his method of cleaning and purifying wheat damaged by smut, and rendering it fit for the food of man.”

On the reading of the resolution respecting Somerset Place,

Mr. MARTIN observed, that as the public money was paid for keeping the terrace at Somerset House in order, the public had certainly a right to amuse themselves by walking there; but he found they were excluded from it.

Mr. Chancellor PITT said, the vicinity of the public offices made such a precaution absolutely necessary.

Mr. Chancellor PITT said, that there was another vote to be proposed to the Committee; but as the message from His Majesty had only been brought down that day, it would not be quite regular to propose it then—He meant the vote of credit for 1,400,000l.; and this he would propose to the Committee on Monday, when he should move for it to sit again.

The House being resumed,

Mr. Chancellor PITT moved, that the report of the Committee of Supply be received to-morrow.—Agreed.

The House, on the order of the day, resolved itself into a Committee of Ways and Means.

Mr. BRAGGE (according to order) reported from the Committee of the whole House, to whom it was referred to consider further of ways and means for raising the supply granted to His Majesty, the resolutions which the Committee had directed him to report to the House; which he read in his place, and afterwards delivered in at the table, where the same were read, and agreed to by the House, as followeth, viz.

“Resolved, That, towards raising the supply granted to His Majesty, the sum of 3,500,000l. be raised by loans or exchequer bills, to be charged on the first aids to be granted in the next session of Parliament.

“Resolved, That, towards raising the supply granted to His Majesty, the sum of 3,000,000l. be raised by loans or exchequer bills, to be charged on the first aids to be granted in the next session of Parliament.

“Resolved, That, towards raising the supply granted to His Majesty, the further sum of 3,000,000l. be raised by loans or exchequer bills, to be charged on the first aids to be granted in the next session of Parliament.”

Ordered, That bills be brought in upon the said resolutions; and that Mr. Bragge, Mr. Chancellor of the Exchequer, Mr. John Smyth, Mr. Douglas, Mr. Pybus, Mr. Attorney General, Mr. Solicitor General, Mr. Rose, and Mr. Long, do prepare and bring in the same.

The House was resumed, and the report ordered to be received to-morrow.

Saturday, July 19.

Mr. BRAGGE brought up the report of the resolutions of the Committee of Supply, which was read :

The resolution by which 4000*l.* was granted for the support of the establishment of the Sierra Leone Company was objected to by Mr. DENT, alleging, that the Company was not now entitled to such a grant ; that much money had hitherto been thrown away on it without effect ; and that some documents should be produced, shewing the claims of that Company to further protection and encouragement.

Mr. Chancellor PITT said, that he did not see why the Sierra Leone Company was not as well entitled to that encouragement as any other society. It was much more so, in his opinion, than any other upon the coast of Africa.

Mr. DENT persisted in saying, that no proof of its utility existed at all ; and opposed the grant.

Mr. WILBERFORCE insisted, that it answered the most excellent of all purposes ; and among others might be stated its charge and management of 12,000 blacks in the British service, from Nova Scotia, at its own expence ; a charge which must, as a burthen, fall upon this country, unless the Company sustained it : this entitled that Company to Parliamentary aid ; and as such, he should vote for the resolution.

Mr. LONG said, that the accounts of the Company were regularly presented to the House ; and that the character, motives and ultimate objects of them were apparent, and furnished ample documents for the House to judge upon. The resolutions were read through, and agreed to.

Mr. BRAGGE then brought up the report of the Committee of Ways and Means. The resolutions granting the respective sums of three millions, three millions and a half, and three millions, to be raised by loans to be charged on the first aids granted in the next session of Parliament, were read and agreed to, and bills ordered.

The bill for granting a supply to His Majesty was read a second time, and ordered to be committed for Monday.

Mr. Chancellor PITT moved, " That an humble address be presented to His Majesty, praying that he would give directions, that a copy of the proclamation issued by the governor of Surinam on the 18th of February last, and of the representations thereon, should be laid before the House. — Ordered.

HOUSE OF LORDS.

Monday, July 21.

Their Lordships proceeded to the order of the day on which they were summoned, being for the second reading of the Flour and Bread Company Bill.

The Earl of LIVERPOOL rose, and, after adverting to the situation in which the public office which he had the honour to hold had placed him with respect to the bill, observed, that one of the chief views in which the measure in question should be considered, was in regard to the very important one of the sustenance of the lower orders of the people. On this head, his Lordship entered into a variety of calculations and details. With regard to the supply drawn from foreign countries, he stated, that there was imported, within a given period, into this country, an aggregate of 893,302 quarters of wheat, which vast quantity of corn was equal in value to a sum exceeding five millions sterling; and, extraordinary as it might appear, he could assure the House, that in the course of one year, there was paid for this necessary article of the sustenance of the people of the country, the sum of 5,606,000*l*. A drain of this magnitude few countries in the world were able to bear; this was principally in specie; and he was sorry to say it was to such an amount as greatly lessened that balance of commerce which operated for years past so decidedly in favour of Great Britain; and not only that, but this circumstance was the principal cause of the course of exchange being of late so much against this country. If their Lordships had perused the accounts upon the table, they were aware that the import of corn into this country had progressively increased for some years; on which view alone, it was important that every practicable measure should be tried to ease the country. The interests of the poor were more peculiarly at stake in the present question. The quartern loaf, he lamented to say, was now at the enormous price of 1*s*. 6½*d*.; the year 1795 was that in which the loaf was higher than at any former period; then it was 1*s*. 3*d*. and at that it remained but a short time. On this head he could assure the House, that had no measures been taken to avert the evil last winter, the business of the country could not have gone on; the poor literally could not have subsisted: this was obviously a subject of most serious moment. Indeed he might say fairly, it was one which should be of "perpetual consideration." Every measure should be resorted to, and those, from the nature of the case, must

be on a small scale, as bold and sweeping measures could not, in such cases, be safely resorted to. This evil arose from a complication of causes: the prominent one of which was, the increasing population of the country, which outran its cultivation and agriculture, notwithstanding all the measures tried to remedy that defect. However, on this point, he had the consolation to reflect, that Britain was not the only great country which depended upon foreign exports for supply. Italy, in the proudest periods of the Roman empire, was supplied with corn, first from Sicily, and afterwards from the continent of Africa; and this business was wisely held to be a matter of such moment, as to be under the exclusive superintendence of one of the greatest officers of the State. The measure then under consideration was framed, and carried to its present stage in Parliament, without the least interference (as far as he knew) on the part of Government. Its supporters had two great and direct objects in view by the measure; the first was, to establish mills which should grind corn cheaper than was done by any now established; and, secondly, to introduce the manufacture of standard wheaten bread, which would clearly tend to the advantage of the lower class of the people. Among those who recommended the measure, were six Peers of the realm. His Lordship did not mention names, but described them to be as conversant on the subject in question as any other persons in the kingdom. The measure had the countenance and recommendation of a Peer in the sister kingdom, and a Member of the other House (Lord Sheffield), whose information on those points was well known. There were concerned in the project, men of the first commercial respectability in the metropolis, and men whose moral characters and patriotic principles deservedly stood high in the estimation of their countrymen. The names of Hibbert, Bosanquet, Angerstein, and Devaynes, were sufficient to do away every imputation of sinister views or unfair advantage intended by the project; they were such men as would not countenance for a moment any thing of such a description: indeed the plan was framed upon such principles as obviously precluded any practices of the kind. No man was to be allowed a greater share of property in the concern than the value of 1000*l.* nor of profit of more than 10 per cent. or 100*l.* a year. This plan, he thought, tended more than any other of the kind ever yet proposed, to benefit the poor. The next object was, by diminishing the price of grinding corn, to afford the bread much cheaper than was done at present. Added to this, the advantage of the use of another kind of bread, which, for the purposes it was intended, would be more beneficial than that in present use. Much

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of the defects of the existing system he attributed to want of competition ; to obviate which, no direct law, to which the passions, feelings and habits of commercial men could be reconciled, was applicable. The supporters of the measure were charged with wishing to create a monopoly ; that was mere unfounded assertion. But it was of public notoriety, and upon record, that much monopoly existed at present among the dealers in various commodities. He instanced that of the hop-factors, who were recently the objects of a criminal prosecution. So far did this prevail, that the Legislature were obliged considerably to lower the duty upon the importation in order to ensure supply. Much had been said of the impolicy of interfering with affairs of commerce or trade. It was emphatically said, they should be left to their own course. To a great degree, he would admit those maxims were well-founded ; they were applicable to all those branches of traffic where the buyer and seller met each other upon an equal footing. But with respect to the necessaries of life, the case was different ; those must be had, and above all others, bread, which the buyer must obtain or starve. In this commodity the seller was the master ; and on these grounds it required legislative interference and periodical regulation much more than ordinary articles, particularly because the interests of the poor were more than any other affected by it. His Lordship again entered into some detailed calculations, made to illustrate his positions. He first adverted to the grinding of corn, and the high prices taken by the millers. It appeared, from the evidence given at the Bar, that the operations of grinding were much facilitated by the introduction of machinery ; so much so, that double the quantity was ground in the same interval of time. But were the prices lowered in consequence ? No ; it appeared not : so far from it, that the prices had advanced. That fact required no comment. In other branches of traffic the case was otherwise. In the article of spinning, for instance, Sir Richard Arkwright's improvements of machinery so reduced the prices, as to enable the British manufacturer to undersell all others in foreign markets ; and on this principle several wise legislative regulations were adopted to prevent the exportation of these valuable appendages. If, then, the usual effect in any other branch of traffic of the use of machinery were to diminish the prices of the commodity, what could be said of the manufacture of flour, where alone it was increased ? He should like to hear any Lord conversant in matters of trade solve the problem ; and was it fair or justifiable, he would ask, that the whole profits of these improvements was to merge into the pockets of the millers, and the poor derive not one atom of advantage from them ? He then com-

mented upon some of the details of the evidence ; and the deductions from them, particularly with respect to comparing the quarter of wheat with the sack of flour, he contended, were fallacious. He then observed upon the immense profits made by the millers, particularly since the period of 1774.—Mr. Charles Pratt being asked, what profit would satisfy him upon a sack of flour, value 3l. ? said, 2s. : but being asked, how much he expected upon his capital ? said, from 15 to 18 per cent. : and it was well known, that the millers turned over their capital six or seven times a year. While the Albion Mills were in existence, from a calculation which he held in his hand, and believed to be correct, stating that six bushels of wheat would make in value what was equal to a sack of flour, the millers made only 2s. 10d. upon a sack of flour ; for five years after they made 3s. 11d. ; for the four next years they made 9s. a sack ; and for the last six or seven months they had made the enormous sum of 13s. Could any one then doubt that they leagued together to defraud the public, and to oppress the poor ? In times of scarcity he allowed that their profits should be greater ; but could any one say, that they were entitled to the sums which they at present exact ? There could be little doubt that they hoarded up the grain, and sold it out as it suited their interest.—It also was recorded, that Mr. Claude Scott, in the year 1798, purchased 40,000 sacks without making the least impression upon the market. It was evident, then, that the projected Company, by the utmost strength of their capital, could produce no serious effect—the current prices of flour were higher then, by a due reference to the price of wheat, than they should be ; this clearly lay with the miller, and was in a great degree owing to the want of competition ; the present millers state they make from 15 to 18 per cent. profit ; the Company to be formed under the bill propose to take no more than 10 ; the advantage therefore was numerically demonstrable. He adverted to the establishment of the Albion Mills, during the existence of which the prices of grinding were much lower than for some years before or since ; and then glanced at the establishment formed lately at Birmingham, upon principles nearly similar with that of the measure in question. In that populous town, where there was no assize of bread, much distress prevailed on the score of its being ill supplied. In his official situation, his Lordship described himself to have been so frequently applied to on the subject as to be almost torn to pieces. The institution which he alluded to, and of which he detailed the plan to their Lordships, fully answered the end ; the subscriptions filled at once ; and instead of being since, as was asserted in another place, a losing Company, they found them-

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selves called upon to enlarge their subscription. The result was, that the inhabitants of Birmingham were supplied with the quartern loaf at 20 per cent. cheaper than by the ordinary bakers; and the importance of this in a place which contained 70,000 souls, was too evident to be dwelt upon. The Company proposed by the bill, as he before observed, were limited in capital, and also in profits. The overplus, if any, was to be disposable by Parliament, and the entire state of their accounts was to be laid annually before Parliament; so that the whole system was fair, open, and candid. Added to this, such a body of information might be of infinite service in future regulations of the assize of bread, and afford Parliament good *data* to proceed upon. His Lordship then adverted to the various objections which had been started against the measure, the loudest of which, he observed, was, that the miller would be ruined by it. This he would answer by a simple question: "Did the establishment of the Albion Mills ruin any miller?" No such thing appeared in proof. One solitary instance had been attempted, the case of a Mr. Bush, who, it was said, had given up his mill;—but it was to his son—which was not likely to be done, or to be accepted, was the property a ruinous one. That the measure would tend to diminish the profits of the millers, he admitted; but then it would be on such principle as solely to benefit the poorer classes of the people. The next outcry was, that the bakers would be ruined by it. Still this was unfounded clamour, and with even less shadow of foundation than the first. He would content himself with observing, that in Birmingham no one baker had been ruined by a plan on similar principles. Another objection was, that it would tend to check the importations. This was easily refuted. Let the extent of purchase which the capital of the Company could afford be considered, and their Lordships would see how unlikely such a circumstance was to take place: 30,000 quarters would be the extent of their purchase, and 60,000 were often imported in one week. Mr. Scott once purchased 40,000 sacks, which did not produce any sensible effect; therefore, to say that the Company could check the importations, was futile in the extreme. The heads of the institution were men possessed of such talents, information, and property, as that they were very unlikely to be the promoters of an undertaking which could produce such an effect. No fear should be entertained on that score. In short, so fully was he convinced of the importance and beneficial tendency of the measure, that he wished to see a similar plan established in every populous town in the kingdom. The poor would be directly and largely benefited by it; and, in the present circumstances of the country, their Lord-

ships should adopt it even as an experimental measure. His Lordship then moved, "That the bill be now read a second time."

The Earl of WESTMORLAND lamented that he should have the misfortune to differ on this important subject with the noble Earl; and the respect which he had for his high opinion made it necessary for him to state the reasons why he should feel it to be his duty to oppose the second reading of this bill. He was willing to pay every possible tribute to the good intentions of the noblemen and gentlemen who had been called the band of patriots; but he might be allowed to question the efficacy of their project, though he did not doubt the beneficence of their motives. He was inclined to dissent from this bill, because the promoters of the bill had neither proved a necessity for the measure, nor offered a single argument to convince the House, that if there was a necessity this would remove the evil; because it would be a bill most severe and cruel upon a number of individuals, against whom no one act of improper conduct had been proved, though the bill threw out insinuations against them; and finally, he opposed it because it would, in his mind, be most injurious to the public. And, first, he must take the liberty to say, that when the present or any band of patriots came to that House, and prayed to be invested with particular privileges, by which they might go to market upon better terms than the open dealer, it was certainly incumbent upon them to prove that the existing and established manner of carrying on the business was defective or insufficient, or that there was fraud and abuse among the dealers, or at least that they could, if incorporated, do the business cheaper and upon better terms than it had been transacted before. This their Lordships had a right to expect; but no allegation in the preamble of the bill had they proved; they had contented themselves with mere assertions; as if their Lordships could think it consistent with the discretion of sound legislation, to take mere assertions at the bar as a sufficient ground for an innovation of such magnitude in the manufacture and supply of the first necessity of life for the first metropolis of the world. Not only had they failed to substantiate a single fact, but every one of their assertions had been disproved in the most direct and satisfactory manner. It had been proved at the bar that London did enjoy a most regular and abundant supply—that the existing mills were able to manufacture one-fourth more than the consumption—that so long ago as the year 1774, from the superabundance of mills, a bounty had been granted on the exportation of flour—that the mills had been greatly increased in capacity since that time—that in an

emergency it had been proved that 40,000 sacks could be provided for government without any interruption to the regular supply of the metropolis, and without affecting the price; and that, in truth, from the very great number of persons engaged in the manufacture, there was no trade where the competition was greater, or where the commodity was rendered with a less profit. If it were otherwise, there was no doubt but the enterprize and spirit of the traders of this kingdom would induce them to enter into the manufacture. Nothing, however, could be more manifest, from the evidence on the table, than that the competition was more perfect, and that the established system for the supply of the metropolis was under as complete controul as could be devised. Could their Lordships then bring themselves to adopt a project which professed to be no more than an experiment, but which was to destroy the established trade, to endanger the supply, and most probably to ruin many of the millers, particularly of the small millers? Their Lordships ought also to recollect that the land owners were materially affected by this bill. It was well known that mills were by no means a property that was productive to the owners. To the occupiers of mills, therefore, it was a most serious thing, that after having laid out and sunk a very large part of their property in erecting mills, which made a most valuable stock of wealth to the country, they should be deprived of all the benefit of carrying on their trade upon equal terms with a new company which was to be erected into a corporation. The noble Earl talked of exorbitant profits, on the basis of calculations and estimates which had not been proved. Surely it would have been fair to have proved that the millers' profits were exorbitant. It did not appear from the evidence that they were so. But having had the opportunity of proving their table at the bar, when the petitioners might have cross-questioned the witnesses and observed upon the paper, it surely was not quite fair to argue upon it now against them. The noble Earl continued to say, that he thought the bill as likely to be pernicious to the public as to individuals. It had been distinctly stated, that enabling a company to buy and lay up such a stock of corn would discourage importation. The noble Earl had said their capital was too limited for mischief, and that 30,000 quarters of wheat was but a bagatelle. He did not know why they could be said to be limited to 30,000 quarters. A company with a capital of 150,000*l.* might deal to any extent. They were not restrained from issuing paper. It was in vain to say their paper would not be current. They could operate on the market to any extent, and he did dread the evil of such a monopoly. This was not all: it was not the mere

capital of the company ; but it was their capital acting in conjunction with that of all their friends. The proprietors are not restrained from jobbing in corn ; and it is pretty certain, that if there are jobbers and speculators now in the market, they will be anxious to become partners in this corporation to make use of it as an instrument, to learn their proceedings, to know the amount of their stores, to buy when they are about to buy, to sell when they are to sell, and, in short, to regulate the market between them. “ We know, (said the noble Earl) the list on the table ; but I wish to see the invisible list that remains behind. We do not know of what description the remaining proprietors may be. They are now many thousands of pounds short of their supposed subscription. Who knows that the jobbers may not subscribe the 50,000*l.* which is yet left unfilled up, in order to get the management into their own hands, and convert it into a most dangerous instrument ? Many of the persons on the list are known to be men of character and integrity. Are they all so ? Can you answer for the remainder ? Can you answer for its continuing in the same hands ? Is it not a possible case, that it may come even into the hands of factious persons, who may use it to the worst purposes ? Surely it is a most unwise thing to erect so gigantic an establishment under the eyes of the people. The Albion Mill was nothing in comparison with it. Its capital was not nearly so large ; but they were responsible to the last shilling (as all traders ought to be) for their transactions, and by that means they were deterred from deep speculations. It appears, however, that towards the conclusion of their working they did speculate, and by the evidence on the table it appears also that they were not averse to combinations. I consider this as a very strong argument against the present measure. All these enormous establishments run into abuse ; they set off plausibly ; they affect to be for the public good. They undersell the fair trader to ruin him, that they may get the whole into their own hands. My Lords, I distrust those innovations, however plausible their pretexts. The most mischievous and the most fatal measures are those which set out under showy and patriotic pretexts, but which unveil themselves as soon as they have obtained an establishment. This band of patriots may soon disappear. They may be joined and even outmanœuvred by others. The establishment may excite popular odium. It may even again be reduced to ashes by the calamity of fire, and that after it has succeeded in demolishing the many millers by whom London now derives its supply, from a thousand channels unseen, and by thousands of persons unconnected and unknown by one another. I conclude, therefore, my Lords, with

saying, that I must dissent from this bill, for these reasons—because it throws out insinuations against bodies of men, calculated to raise clamour against them, and not one of which insinuations has been proved—because it will greatly affect, if not ruin, the property of a number of persons who have invested their property in flour mills—and, thirdly, because it will be in its consequences most injurious to the country.”

His Royal Highness the Duke of CLARENCE paid a high compliment to the talents, knowledge and zeal of his noble friend the Earl of Liverpool, and lamented that he should differ from him on any question of trade. He was assured, however, that his noble friend would be happy to hear every argument that could be urged on a measure pregnant with such consequences as the present; since, as he had only taken up the bill since it came into Parliament, he might see that he had taken it up on a misconception of its tendency. He certainly had not thought, from the bare title of the bill, that it was a measure of the consequence which he found it; or that, under the title of a bill to incorporate a company to manufacture flour, meal, and bread, an establishment was to be erected, which would grow into a monopoly of the staff of life. He was totally unaware of the magnitude of the object until he came down to the House on Tuesday last. But now, from the arguments of counsel, followed by the evidence of a number of most intelligent persons, unimpeached and unanswered, he was convinced that a bill of more dangerous innovation, with less apparent necessity, had never been introduced into that House. Not one witness had been called by the promoters of the bill—not one of their allegations had they attempted to substantiate—not one of the testimonies against the bill had they even endeavoured to confute. Mr. Garrow, indeed, had made a splendid speech at the bar; but the bright and sparkling sallies of a lively imagination would not weigh with their Lordships against the solemn and sacred declarations of men upon oath, who had been educated in the principles of the Christian religion. The question, therefore, came now to be argued with nothing in support of it but assertion and conjecture; while there was against the measure a body of the most complete evidence that ever was brought to bear upon any subject. With this short preface his Royal Highness begged leave to look into the bill; and in the very title he saw a most extraordinary variation from the usual, and even from the recent practice of such bills. In the Globe Insurance bill, it was intituled, “A bill to enable His Majesty to incorporate,” &c. Here, on the contrary, it was intituled, “A bill to incorporate;” so that it was not to be referred to His Majesty, with the advice of

the law officers of the Crown, to affix the great seal to this charter. He did not make this observation from any idea of questioning the omnipotence of Parliament; but he begged leave to say, that this part of the royal prerogative was, no doubt, vested in the Crown for the wise purpose of subjecting charters to the strict scrutiny of the legal advisers of His Majesty, that the rights and immunities of all and every body of His Majesty's subjects should be preserved, and that privileges should not be granted which might entrench upon those of others, be contrary to existing statutes, or be injurious to the people at large. This at least had been the wise and safe practice hitherto; and surely a strong case should be made out as a ground for departing from the usual and accustomed path. If he was wrong in this observation, he should be happy to be corrected by any noble Lord; but surely, if it was right to depart from this form, by which the charter would be sure to receive, after the bill had passed the Legislature, a strict and discreet investigation (as had been experienced in the very case to which he had alluded—the Globe Insurance, which had not yet passed the great seal, though it had so long ago passed the Parliament), it would have been right and becoming in the parties to have applied sooner in the session, when the bill might have had the advantage of a more full attendance. This was one of his arguments against the bill. It was not a period of the session at which so momentous a concern could be sufficiently discussed; and he would add, that the present period was of all others the most improper for such discussion. The bill was founded on the supposition of iniquitous practices on the part of the millers and bakers, and it was brought forward at a period of unexampled scarcity, so that the promoters of the bill seemed earnest to take advantage of the popular prejudice, and he was sorry even to see a disposition to raise a popular cry against this most useful part of the community. Surely their Lordships would feel it to be their peculiar province to place themselves between the parties. The celebrated words of Lord Bacon were most applicable to the case. Revenge was a species of wild justice which it became the wisdom of the Legislature to restrain. This was not the moment when this measure could be wisely or discreetly passed; and above all others, it became their Lordships not to take vulgar prejudice as a ground for any legislative proceeding. The noble Earl who began this debate, had said that the profits of the millers were too large, and he had quoted the evidence of Mr. Pratt. He begged pardon of the noble Earl if he thought that he had not had his usual accuracy in this reference. Mr. Pratt had said that he was content with a profit of 2s. upon a sack of flour, value 3l. And it appeared that the mil-

lers turned over their capital three or four times a year, which in all was under 15 per centum per annum. Ought tradesmen in a narrow and contracted line of business, which a miller necessarily must be in proportion to the power of his mill, to have less than 15 per cent. ? What is 15 per cent. on a small capital to a man giving all his time and industry to his trade ? Will men embark in business, and devote their lives to acquire skill and experience, if they are not to be secured in a living profit ? Why, what is 15 per cent. to a poor man, with toil, and risk, and taxes to pay, and a family to maintain, in comparison with this band of patriots, who are to have 10 per cent. and do nothing ; who have already made their fortunes ; some of them, like the noble Peers of that House, who had their fortunes by descent ; others who had honourably acquired fortunes by their enterprise and industry ; and who, thank God, had been supported by the laws in that enterprise and industry ? They were independent men, and yet they were to have 10 per cent. although agents were to transact the business, and they were to be protected by a statute from all responsibility for the errors, and waste, and imprudence of such agents. “ Why, my Lords, there is no equality in this proceeding. We must protect the small man ; we must recollect that the miller who has invested the greatest part of his property in building his mill must live ; and if you do not give him a profit that shall enable him to thrive, nay, that shall enable him to get forward in life, you extinguish that active spirit which is the spring of British opulence. My Lords, I wish to see the man who began by carrying his sack of corn on his shoulder, conclude by being master of his mill. Such has been the progress of British industry, and I hope that no new-fangled projects will prevent it. These very patriots ought to be the first to recognize this sentiment, and to act upon it. I never felt more pride as an Englishman, nor more pleasure as a man, than at the table of one of the most opulent merchants, and a most respectable magistrate of the city of London ; the noble Earl who began the debate would also recollect the anecdote (for he was also a guest at the same hospitable board), when the gentleman, in the midst of his luxury, honestly told us that he had risen from nothing, by unceasing industry, to what he possessed. That he had worn his apron, and had swept his door. My Lords, such is England. And do not believe that you can have such men if you do not protect the means by which they rise ; and who will say that this country would have been able to stand the shock of this disastrous winter, if it had not been for the small millers whom you are now about to destroy ? The great miller, like this giant you are about to erect, might have

withheld his stores; but the necessities of the small miller compelled him to give us a weekly supply. There is the check which an open trade produces. The great miller, like the great farmer, is checked by the little; and in this trade of flour in particular. The noble Earl forgets that the law has given a wise option to the magistrates, which protects the public from all possible extortion. The noble Earl quotes from a paper which is not upon your table, nor given in proof, that six bushels of wheat will make what is equal in value to a sack of flour. Equal in value to a sack of flour, is not an accurate phrase. What does the law say? Has not flour been rendered to the public greatly under the proportion which the law requires? That is the inquiry for the Legislature to make before they dispossess unoffending individuals of their property. My Lords, I take upon me to say, that nothing can be so difficult as to ascertain a criterion for the produce of a certain quantity of flour from a given quantity of wheat. My own observation confirms the evidence on your table. Nothing can be more various than the qualities of wheat. I have been in the fields with the noble Earl, and hope I shall be again; and, surely the noble Earl must acknowledge, that, when in the same field of only 16 acres there will be samples of wheat dissimilar in weight and in goodness, prodigious disproportions must exist between wheat of different seasons and of different countries. And yet, my Lords, to bear out an estimate which was evidently drawn up only to deceive, and which was not offered at your bar, because the authors know it would have been confuted, we must suppose that all the wheat of the last twenty-seven years was of the same goodness. I fairly put it to your Lordships, are any set of men to be cut up and annihilated upon such a fallacy? Look on the other side at the liberality of the existing laws. All your statutes on the subject grant a quarter of wheat, taking the bad years with the good, to produce a sack of flour, but requiring the sack of flour to be at a certain relative price under the quarter of wheat. Am I correct, my Lords? Look at the table in the 37th of the present King. If the allowance be too great, abridge it; if there be abuse, correct it. But do not, by a side-wind—do not, at the very close of a session, and under the title of a bill which would promise no such thing, do away in one breath all your established laws of assize, which have been the work of centuries, and under which the people of this country have enjoyed, even in periods of scarcity, a regular and sufficient supply. My Lords, I agree with my noble friend who spoke last, that nothing can be more unwise than to throw forth unqualified imputations on all the men engaged in the corn and flour trade. I could quote to you, if I were not afraid to detain your Lordships, a passage from

the celebrated Dr. Smith, a passage which I think has been verified by the present season. I do not know that we have not been indebted to the corn-merchants, and to their avidity of gain; since, but for that, instead of a scarcity, we might have had a famine. At one time the stoutest of us had our apprehensions. Thank God it is now over, and by the blessing of Providence we have a brighter prospect. But is it after we have weathered the storm, that we are for destroying the vessel that has brought us safely through? We know the system that we have—all that is proposed to you in its stead is theory and conjecture. After having taken up so much of your Lordships' time, I will only detain you by the examination of two or three clauses of the bill. And first—the clause by which this band of patriots are to have 10 per cent. for their beneficent labours, and to be at the same time protected from all their risk. My Lords, I cannot help thinking, that if you are to allow them 10 per cent. together with an indemnity, and recognize this sort of per centage, you cannot in common justice accuse the industrious miller, who has to live by his labour, of getting too much if he has 15, but has it with a responsibility to the last shilling he may be worth. But if you grant this principle, that men embarking money in joint-stock companies to carry on trade, may have 10 per cent. and indemnity, farewell to open trade. The example once set, you will have it in every line and article of manufacture. You will have a joint-stock brewery, a joint-stock distillery—you will have the principle spread over the kingdom—you will extinguish open trade, and with it an industrious people—you will substitute monopoly, and bring with it idleness. It is in vain to say that the whole scheme does not tend to monopoly; for, look to the next clause, which I think most important. This immense body is to be allowed to manufacture 120,000 sacks of flour within the year; allowed, but not compelled; so that they may buy up 120,000 quarters of wheat, granting, as I conceive we ought to grant, that, one year with another, and manufacturing all the varieties of flour, that is of firsts, seconds, and thirds, and so forth, 120,000 sacks of fine flour would require 120,000 quarters of wheat. Then what do you do? You are about to erect one monstrous company, that will require 2300 quarters of wheat weekly; by looking at the returns of English wheat brought to the London market for the last 19 years, as laid upon your table, I find this monster would nearly require one-half of the whole. My Lords, I call that a monopoly. No common miller could stand against it; especially as this company is not compelled to manufacture, but may keep it up until it is dear and sell it again. My Lords, I have no conception of a monopoly, if this is not one; and I will content myself to give

you another striking observation from Lord Bacon, in his letter to Villiers, afterwards Duke of Buckingham—"Guard against monopolies; they are the canker of the State; it should be the care of the Legislature to root them out." No argument of mine can make that recommendation more emphatic. My Lords, I will refer you but to one clause more: it is that wherein they are to make 200 sacks of standard wheaten flour into bread. It is very loosely drawn; but I object to it, because it goes upon the error that this cannot be obtained from the common baker:—the contrary is proved by the evidence upon your table. There is a prejudice against it; but give the baker a fair profit, and you may have it to-morrow."

His Royal Highness apologized for having occupied so much of their time, but he really thought it a subject of such serious importance, that he trusted their Lordships would think it wise not to proceed in it further at so late a period of the session.

Earl STANHOPE also spoke against the bill. He thanked the noble Earl who began the debate, for the honest and candid confession he had made, that this country was obliged to send away above five millions of money to import wheat to maintain the people, and that this was a growing evil. It certainly was true; and it was a most lamentable fact. He had observed it with sorrow. He saw, from the petition of Mr. Chalmer on the table, that the average import, for the last nineteen years, had been above 280,000 quarters a year; and for the last five years, it had been above 400,000 quarters. "I thank the noble Lord (said Earl Stanhope) for this candid confession, as I thought that at length our eyes were opened to an enormous calamity, and that some measure, adequate to the evil, was to be recommended; but what was my surprise when I found, that after stating that we had not corn enough for our use, that we had imported 700,000 quarters this year, he concluded by saying, therefore let us regulate the grinding! In the same manner, if he had told us that there was a great want of timber in our forests, and that he would suggest a remedy; instead of suggesting the means of keeping up the growth, or of supplying the deficiency, would not the House think it an act of imbecility if he should content himself with saying, let us regulate the carpenters and joiners! My Lords, this is of the same stupid and unavailing character of remedy. You must go to the root of the evil. This is only an attempt to conceal and disguise it. This new-fangled attack upon property means more than meets the eye. There is a mask upon this measure which conceals its horrid deformity—I will tear it off, and expose to you its detestable visage.

My Lords, the plain truth is, that it is the war, the system, the taxes, the burthens of the country, which have made the evil of scarcity, and it is the wants of the Government which have given rise to this stratagem of seizing upon the corn trade into their own hands. My Lords, the taxes, and the advance in every article of life, which is the fruit of taxes, make it impossible for the people to grow wheat so cheaply as it can be imported. Here is the evil, the first natural consequence of our overburthened country. The Government sees it; the noble Earl avows it; and the Ministers, having exhausted all the other sources of taxation, are determined to seize upon trade itself. Five millions of money to be paid to foreign nations for corn in one year is too tempting and convenient a thing to be suffered to escape them. They will seize upon the whole supply under the instrumentality of this new corporation; and having once established the principle, every article of the first necessity will follow the chief article, which is bread. My Lords, this is my belief, and I feel it to be my duty to tell you what I think. I have the utmost respect for many of the characters whom I see in the list on your table; but no respect shall prevent me from disclosing my apprehensions as an Englishman. Many of these persons have no doubt suffered themselves to be surprised. They could not have otherwise given their support to a measure so tremendous in all its parts. It was this view of it that brought me to London. I know nothing of the millers; I have no connexion with any of them. But it is not the millers, nor the bakers, nor any particular trade that is aimed at. They are singled out indeed first, because the cry is against them; and I have heard the noble Earl with astonishment join in the popular cry; but let the example once be set, and those who now blindly give their sanction to the injustice will be its next victims. My Lords, I heard the noble Earl with astonishment join in the cry against the millers; because I thought that let vulgar clamour find reception where it might, it would be excluded from these walls. To say no more, the language of the noble Earl was most rash and imprudent. My Lords, with a gross misconception of the evidence on your table, the noble Earl stated that Mr. Charles Pratt had said he expected from 15 to 18 per cent. six times over in the year. My Lord, he said no such thing. He said, that 2s. upon 3l. would content him. This is only 3 and a fraction per cent. which, taken six times over, would be 20 per cent. per annum in all; but it so happens, that every miller has a considerable part of his capital locked up in his mill, machinery, barges, and other dead stock; which, so far from producing 20 per cent. perhaps, do not pay him legal interest; and let me remind

your Lordships, that every miller has not the considerable trade and the capital of Mr. Pratt. What profit will you allow to a miller who has 1000*l.* employed in the meal trade? Do you think from 150*l.* to 200*l.* a year an excessive profit for a man who has a family, and all the burthens of the times to maintain? This was not the only misconception of the noble Lord, by which his speech certainly may go forth, and enflame the public mind against the millers. He takes a calculation which is erroneous, and gives to it the credit of his opinion. My Lord, that paper is directly contradicted by the evidence on your table. The most respectable men tell you, that eight bushels of the foreign wheat of this year will not produce so much flour as seven bushels of fine English wheat; and yet he argues from a paper drawn up in the closet, that six bushels will, in all cases, give a sack of flour. Arguing on this estimate, he says, that the millers have made the enormous profit of thirteen shillings this year on a sack of flour; now, what says the evidence? The law allows that there shall be no more than six shillings of difference between the sack of flour and the quarter of wheat, whereas the difference has been throughout the whole year fourteen shillings. And by the way in which the average price of wheat is now taken, all the wheats of an inferior quality sold in the corn market, to make biscuits and to go into the country, are taken into the account against the miller; whereas he only uses the higher priced wheats. Excluding the lower sorts, as they ought to be, the difference in favour of the public through the whole of this year, would have been twenty shillings, being fourteen shillings more than the law required. So much for the conduct of these ill-treated men. But even this is not all. The noble Earl says, that Mr. Claude Scott was able to buy 40,000 sacks of flour from the millers at once; and this he stated as a proof that the millers hoarded up flour. I turn to the evidence, and I find Mr. Claude Scott say, that he stipulated for the flour to be delivered at the rate of 5000 sacks per week, requiring eight weeks to complete the order! My Lords, I complain of this want of candour in the noble Earl. Men are not to be exposed to public clamour in this way. They have no exorbitant profits according to the evidence. And you ought to support the poor man, and the rising man, in his fair profits. There never was any sentiment more true, nor more perfectly British, than that of his Royal Highness—That you must protect the young and thriving plant. If you do not fence round the feeble shrub, and protect it from annoyance in its early shooting, you can never hope to see the full grown oak of England rise to the sky, and protect you with its spreading head. My Lords, these millers do not appear to

have any excessive profit. I see by the evidence, that they are ready to give up their mills. They have offered mills, at seven per cent. upon the sums they have sunk, to this very band of patriots who are to have ten per cent. for driving them from the market! Your Lordships cannot give countenance to such a scheme. It is without principle, and will be found to be pregnant only with mischief." His Lordship added, that the bill was incompatible with the genius of the common law of England, which made every man responsible for his dealings. This was a bill to protect men in iniquity; to allow them to job, and to speculate—nay, to swindle in corn: for men who were to be indemnified from the payment of their just debts, were to be permitted to swindle by law.

The LORD CHANCELLOR left the woolfack, to express his surprise at the manner in which the bill had been debated, very little having been said to the question for the second reading of it; in which stage all arguments addressed to its particular provisions were ill-timed and out of place. The bill was undoubtedly a bill of great and serious importance, both for and against which he admitted that many strong reasons might fairly be urged; but he had not conceived that the unfortunate turn of any man's imagination would have suggested so wild, extravagant, and frantic an idea, as that which their Lordships had just heard from the noble Earl, that under a bill, avowedly offered to Parliament for its consent to a project to incorporate certain respectable persons into a company of millers and bakers, was conceived a wicked design to overturn the whole system of the trade and commerce of the country, and seize upon it by Government's wresting it from the hands of a variety of merchants and manufacturers, who were engaged in the conduct of its separate branches. The whole of the opposition to the bill had been founded on the assumed ground, that it proceeded on an admitted charge of very improper practices in the corn dealers and millers, and a received opinion, that the great scarcity of wheat, and the dearness of bread, which the country had felt during the last winter, was imputable to their misconduct. This assumed ground of the bill, however, had not the smallest foundation in fact, nor was any such charge or imputation either expressed or hinted at in the bill, but originated solely in a part of the argument of the counsel employed by the millers who had petitioned against the bill, and which part of his speech the learned gentleman seemed rather to intend for the gratification of those below the bar, than of their Lordships. A more erroneous opinion of the ground and object of the bill could not have been entertained, nor could he believe that those who pretended to entertain it, really did so. No blame had

been cast upon the millers by those who introduced the bill, nor did any part of the bill warrant any such intention on their part ; but, on the contrary, the holding forth an idea to that effect made a part of the clamour artfully raised to create prejudices against the measure, not the popular clamour that a royal Duke had complained of as the origin of the bill. It had been said by that illustrious Personage, that he should have been pleased if the bill, like the Globe Insurance Company, had been for a royal charter, instead of an act of Parliament to incorporate ; but a royal charter could not have given the powers that the company were to have under the present bill, if it passed ; that of being a joint-stock company, and especially that of not being liable to pay beyond their capital. That power he was ready to admit to the noble Earl (Stanhope) was incompatible with the genius of the common law of England ; which was, in that respect, peculiar to Great Britain, and distinct from the law of other countries, and those eminently commercial. In Holland, for instance, by taking out a particular instrument, and registering their capital, any number of persons might engage in a given speculation of manufacture or trade, and not be liable beyond their capital so registered. In the present case a number of most respectable individuals, acting from the purest motives, and unquestionably with the best intentions, came forward with a view to endeavour, at some risk, but not a great one, individually to be incorporated as a joint-stock company, and not to be liable beyond their capital. In return for this, they voluntarily offered to limit their profits to 10 per cent. and to submit their accounts annually to the inspection of both Houses of Parliament. This was more than any joint-stock company had ever attempted to offer, and was, in his judgment, a very sufficient guard against any of the evils which had been so extravagantly conjectured as the probable consequences of the bill's passing into a law. But there was another restriction, which he would state by and by, and which he thought it might not be improper to insert in the bill, when it should be in a Committee. Upon so limited a capital as each subscriber to the project was to be allowed to adventure, and with a limited profit of ten per cent. only, what danger was to be apprehended from the carrying such a project into execution for a short period, by way of experiment ? In putting this question, he was detracting from the characters of the eminent persons whose names were in the bill, and putting, for a moment, the security of great character against abuse wholly out of the question. A noble friend of his (Earl of Westmorland) had acknowledged, that the avowed patriots, as they had been called, who came forward with this bill, were entitled to full

credit for their high respectability and disinterested public spirit ; but he had expressed a wish to see the invisible patriots, who were to be concerned. To gratify himself in this point, the noble Earl must, he believed, either travel northward, to his country, or a little more to the west ; for in the northern part of Europe alone had he ever heard it said that invisible persons were to be seen ? Among other arguments that had been urged against the bill, it had been contended, that this would ruin the millers, and lessen the competition in the corn market, by instituting a monopoly : On this latter idea a royal Duke had laid great stress ; but in both respects the opponents of the bill proceeded on a palpable mistake. The project had not a feature in it like that of a monopoly, nor would it destroy or diminish the competition so necessary in all trades, and ultimately so beneficial to the public. It would rather increase the competition, by sending a new buyer into the market ; and it by no means effected a monopoly, as it excluded no person whatever from engaging in a similar project on the same terms, which, exclusive solely of not being liable beyond their capital, they might do without any charter at all. For the benefits of their being a joint-stock company, and not liable beyond their capital, he had already stated, that the gentlemen whose names were in the bill, had offered the public inspection of their books, which was, he thought, a fair balance. With regard to the profits made by millers and corn-dealers, he did not blame them for making as much as they could of their capital, and their industry. Every trader and manufacturer had a right to trade to the best advantage, provided he did not violate the laws of his country ; and though in all trades there would occasionally be bad practices discovered, that was no ground for a general stigma upon any given description of traders or manufacturers. That there had been forestalling and regrating practised among corn dealers was evident, since it had lately been proved, and a conviction had taken place in the Court of King's Bench before the Lord Chief Justice of England ; and a prior conviction had also been obtained for a similar offence, some time preceding, in the same Court. Nay they had heard of whole fields of corn and wheat having been purchased while growing, which was certainly a very mischievous species of forestalling, and must raise the price of the market. But it was in this case that the subscribers, limiting their profit to ten per cent. would ruin the millers, as they could not live upon so slender a profit. Mr. Pratt in his evidence states, " that he should expect to have a clear profit of from fifteen to eighteen per cent." His Lordship said, he did not see why it was necessary that a miller should have a profit of that extent. A great

variety of businesses were carried on, and carried on successfully, at a smaller profit. In the course of the session their Lordships had heard a cause at their bar, which went upon these data : a wholesale grocery business had been entered into by three persons, one of whom chose at length to become indolent, and to retire into the country ; and when some years afterwards they came to settle their partnership accounts, he thought himself ill used by having only an interest of eight per cent. allowed him as the interest earned on his share of the capital. He instituted a suit in Chancery, and it came at length, by writ of error, to their Lordships' bar, where it appeared that upon the reasonable profit of eight per cent. one of the partners had acquired a plentiful fortune, and risen to the rank of an Alderman of London (Sir John Eamer). It was evident, therefore, that at that profit fortunes might be acquired in trades dealing in innumerable small articles, as well as others of a greater bulk and value, for the shop in question supplied many of the retail grocers in town and country. His Lordship said, that upon full consideration it appeared to him that the gentlemen concerned in the proposed project acted with a very laudable degree of public spirit ; that much good consequence might arise to the metropolis and its neighbourhood from carrying it into execution ; and that at any rate it would be worth while to try the experiment. He trusted, therefore, that it would be allowed to go to a Committee ; in which, if any of the provisions or restrictions should require amendment and alteration, it could be suggested ; and if it should appear to be a wise and useful amendment that should be proposed, it might be adopted. For his own part, he should in the Committee propose, in addition to the present restrictions contained in the bill, a clause to render the company liable to be proceeded against by a writ of *scire facias*, and dissolved upon a conviction of any improper practices, or abuse of their powers to the prejudice of the public. With that additional guard and security, it appeared to him that the experiment might be safely tried ; and therefore, for the reasons that he had stated, he should vote for the bill's being read a second time.

The Earl of LIVERPOOL rose, merely to explain, not to speak a second time upon the bill ; he knew the order of the House too well to do so. The noble Earl near him, Lord Stanhope, had been pleased to compliment him for the candour of his argument ; but he had, at the same time, blamed him for his want of prudence, and his rashness. He would venture to say, that his candour and his rashness must stand or fall by one and the same criterion ; he could not merit the compliment if he deserved the censure. He had before stated, and he repeated it, that he thought from fifteen

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to eighteen per cent. was a larger profit, than the millers ought to have.

Lord HOBART said, that whatever was the opinion that he had formed before he entered the House ; if after the able speech of the noble and learned Lord he still found himself obliged to oppose the bill, he did so with great deference. The noble Earl who opened the debate had said that he knew nothing of the bill till it was brought forward in the House of Commons : that being taken to be the fact, it was no small argument in his mind against the bill. The gentlemen whose names were in the bill were men of great respectability undoubtedly, and he gave them full credit for the purity of their intentions in coming forward on the present occasion ; but if it had received the sanction of the noble Earl in the first instance, the great confidence he placed in his abilities, his judgment, and his experience, would have made him more ready to rely on the expediency of the measure. If the noble Earl had said, that from his knowledge of the state of the flour manufacture in the country, he had thought it his duty to submit the project to the judgment of the rest of His Majesty's Ministers, and had, in conjunction with them, brought it forward in Parliament, the noble Earl would have made himself responsible, and the bill would have stood upon a much less objectionable footing than it did at present. The noble and learned Lord on the woolsack had told them, that some forestallers and regraters had been convicted in the Court of King's Bench recently. If they had been convicted, that was an indubitable proof that the laws in being were sufficient for the conviction of such crimes, and that no new law for that purpose was at all necessary. The noble and learned Lord had also told them, that any number of persons might now, without any charter, form such a company as the bill was intended to incorporate ; the fact being so, why, if the gentlemen whose names were in the bill, acted upon the patriotic principles that had been imputed to them, (and he did not mean to say that they were not justly imputed to them) why did not they enter into the same engagement and the same description, without coming to Parliament and desiring to be invested with extraordinary powers, heretofore unprecedented ; and to prove the necessity for which no one fact had been given in evidence at the bar of the House ? Two examples had been instanced of institutions similar to that projected in the bill ; the one, the institution of the Union Mills at Birmingham ; the other, the Albion Mills. With regard to the Birmingham mills, he had been informed from good authority, that they had introduced a species of bread that would not have been eaten in London, even by the

poorer ranks of people. If, however, the Birmingham mills and the Albion Mills had been found to be attended with beneficial effects to the persons engaged in them, as they were not incorporated, why could not other gentlemen follow their example and institute similar manufactories? It was said, that the proposed project would operate in favour of the public, by grinding the wheat at a low price, and thus lowering the price of bread. He had very great doubt of the advantage of such an effect; it was admitted on all hands, that the dearth of provisions, and especially of bread, was ascribable, not to any combinations among the millers and bakers, but to an actual scarcity, and a deficiency of harvest for the two last seasons; and he verily believed that under such circumstances the high price of bread had operated essentially for the service of the community; and that if bread had not been at such a high price, the poor would have had no bread to eat. His Lordship said, that it was impossible to deny the fact, that a corporate company trading on a capital of 150,000*l.* would have a very sensible impression on the market at all times, and prejudice the individual miller, dealing upon an infinitely smaller capital, to the hazard of his ruin. A profit upon a capital of 150,000*l.* would not be so small a profit as it might at first be thought to be; but on a profit of ten per cent. only, the little miller could not go on. In the difference of size of capital lay all the argument; and on that account, as well as on the other reasons he had stated, begging the House to excuse him for having gone so much at length into the subject after it had been fully debated, he should conclude with declaring that he should give the question his decided negative.

The question was then called for, and the House divided. On the first division it appeared that the numbers were even.

Contents, 11; Not Contents, 11.

Which, by the rule of the House, would have been fatal to the bill; but it was thought that they had been inaccurately counted, and they divided again. The numbers then were,

Contents, 11; Not Contents, 10. Majority, 1.

Proxies were then called for, when 14 were given for the bill, and only 4 against it.

The numbers then stood thus:

Not Contents, 10; Proxies, 4—14.

Contents, 11; Proxies, 14—25.

On the question, That this bill be committed on Wednesday next, the Duke of CLARENCE moved, as an amendment, to insert the words, "That day three months:" but as several of the Lords for the bill had left the House, not expecting a division, his

Royal Highness in candour withdrew his amendment. The bill therefore stood committed for Wednesday, when counsel were to be heard in support of the petitions of the bakers, and various others, against particular clauses therein.

HOUSE OF COMMONS.

Monday, July 21.

In a Committee of Supply, after His Majesty's message had been read, a vote of credit for 1,400,000*l.* was moved for by the Chancellor of the Exchequer. The resolution was agreed to, and ordered to be reported to-morrow.

Mr. LONG brought in three bills: — the first for raising 3,000,000*l.* by exchequer bills, to be charged on the first aids granted next session of Parliament; — the second for raising 3,000,000*l.* — and the third for raising 3,500,000*l.* by the same means. They were respectively read a first time, and ordered to be read a second time to-morrow.

The deputy clerk of the peace for the county of Middlesex presented an account of the number of persons confined in Cold Bath Fields prison, and a list of necessaries wanted in the prison. — Ordered to lie on the table.

Mr. TIERNEY rose, in pursuance of notice, to move his resolutions relative to the state of the finances of the country. The resolutions, he said, were similar to those he had had the honour of submitting last year. He did not know that it was necessary to enter into any detail of observation respecting them. If it was the desire of the Chancellor of the Exchequer to go into any discussion upon the subject, he hoped he would mention some future day for that purpose; for himself, he had no wish whatever to enter into any discussion; he considered the subject as one involving a dry matter of fact. He then moved that the resolutions be laid on the table.

The SPEAKER then read the several resolutions as follow:

“ I. That the amount of the public funded debt, on the 1st of February 1793, was 238,231,248*l.* exclusive of long and short annuities, and annuities for lives to the amount of 1,373,550*l.*; of which sums, stock to the amount of 10,242,100*l.* had been purchased by the commissioners for redeeming the national debt, and annuities to the amount of 79,880*l.* had fallen in; reducing the actual amount of the debt, on the 1st of February 1793, to 227,989,148*l.* and the annuities to 1,293,670*l.* And that on

the 1st of February 1800, stock to the amount of 32,404,845*l.* and annuities to the amount of 119,880*l.* had been redeemed, and had fallen in; reducing the actual amount of debt existing before the war, on the 1st of February 1800, to 205,826,403*l.* and the annuities to 1,253,670*l.*

“ II. That the total amount of stock created since the 5th of January 1793, (including the amount created by the sums borrowed in the present session, and after deducting 12,328,449*l.* purchased by the commissioners on the 1st of February 1800,) is 252,961,976*l.* of which sum the interest on 7,502,633*l.* is payable by the Emperor of Germany, and the interest on 15,315,000*l.* is payable by Ireland; and that annuities have been granted, since the 5th of January 1793, to the amount of 542,664*l.* per ann.; of which 9791*l.* is payable by Ireland, and 230,000*l.* by the Emperor of Germany.

“ III. That the total amount of the public funded debt (after deducting 44,733,294*l.* purchased by the commissioners, and 12,133,371*l.* on account of land-tax redeemed) was, on the 1st of February 1800, 446,655,008*l.*; of which sum 22,817,633*l.* is on account of Ireland, and the Emperor of Germany; leaving a funded debt charged on Great Britain of 423,837,375*l.* including 56,445,000*l.* provided for by the tax on income; and that the amount of annuities charged on Great Britain was, on the 1st of February 1800, (after deducting what have fallen in,) in short annuities 548,930*l.* and long annuities 1,007,612*l.*

“ IV. That the sum applicable to the reduction of the national debt was, on the 1st of February 1793, 1,427,143*l.* and may, for the year 1800, be estimated at 5,000,000*l.*

“ V. That the annual charge incurred by the permanent debt, on the 5th of January 1793, was 10,325,866*l.* including 1,000,000*l.* applicable to the reduction of the debt: that the annual charge incurred by the permanent debt, created since the 5th of January 1793, (exclusive of interest payable by Ireland, and including the charge incurred by the loan of the present session,) is 8,582,395*l.* including 1,870,399*l.* applicable to the reduction of debt; and that a farther charge of 497,735*l.* per annum is guaranteed by Parliament, in default of payment of the interest of certain loans by His Majesty the Emperor of Germany.

“ VI. That, exclusive of anticipations of the receipt of certain taxes and payments on loans to the amount of 8,360,960*l.* the unfunded debt in exchequer bills, remaining to be provided for, was, on the 5th of January 1800, 11,999,740*l.*

" That the debt of the navy, remaining to be provided for, was, on the 5th of January 1800, 5,992,288l.

" That, under the heads of treasury, army, barracks, advances from civil list, deficiency of ways and means for 1799, and re-payments to be made for services not voted, but paid out of grants for 1799, outstanding demands, as far as the same can be made up, remained to be provided for on the 5th of January 1800, to the amount of 2,048,540l.

" And that the total amount of exchequer bills, navy debt, and demands outstanding, unprovided for on the 5th of January 1800, was 20,040,568l. : of which sum 7,548,272l. has been since provided for out of the loan of the present session, leaving an unfunded debt, unprovided for, of 12,492,296l. exclusive of 3,000,000l. advanced as a loan to the public by the Bank, for the renewal of the Bank charter.

" VII. That the net produce of the old permanent taxes existing previous to the war, was, January 5, 1793, 14,284,000l.

" That the net produce of the old permanent taxes existing previous to the war, was, on the 5th of January 1800, 15,586,504l.

" That the net produce of the taxes imposed since the 5th of January 1793, amounted in the year ending the 5th of January 1800, to 8,205,290l.

" And that the total net produce of the permanent taxes, on the 5th of January 1800, amounted to 23,791,794l.

" VIII. That the total official value of all imports into Great Britain, in the year ending the 5th of January 1793, was 19,659,358l. ; and on an average of six years, ending the 5th of January 1793, was 18,685,399l.

" That the total official value of all imports, in the year ending the 5th of January 1800, was 29,945,808l. ; and on an average of six years, ending the 5th of January 1800, was 24,505,125l.

" IX. That the total official value of British produce and manufactures exported, in the year ending the 5th of January 1793, was 18,336,851l. ; and on an average of six years, ending the 5th of January 1793, was 14,771,409l.

" That the total official value of British produce and manufactures exported in the year ending the 5th of January 1800, was 24,084,088l. ; and on an average of six years, ending the 5th of January 1800, was 18,804,254l.

" X. That the total official value of foreign merchandize exported from Great Britain in the year ending the 5th of January 1793, was 6,563,346l. ; and on an average of six years, ending the 5th of January 1793, was 5,469,014l.

" That the total official value of foreign merchandize exported in the year ending the 5th of January 1800, was 11,906,608l.; and on an average of six years, ending the 5th of January 1800, was 11,677,381l.

" XI. That the total sum to be raised in Great Britain in the year 1800 may be estimated as follows, viz.

" Interest of public-funded debt, charges of management and sinking fund, on the 5th of January 1800, after deducting the interest payable by Ireland.....£.19,327,702

" Interest, &c. to be incurred and paid between the 5th of January 1800, and the 5th of January 1801, on stock created by loans in the present session to the amount of 18,500,000l..... 962,850

" Interest on exchequer bills, estimated to be the same as paid in the year ending the 5th of Jan. 1800 1,021,626

" Civil list..... 898,000

" Other charges on the consolidated fund, estimated to be the same as in the year ending the 5th of January 1800..... 239,297

" Civil government of Scotland, pensions on revenue, militia and deserters warrants, and bounties for promoting fisheries, &c. estimated as before.... 647,183

" Charges of management of the revenue, estimated as before..... 1,607,543

" Estimated charges of collecting income tax.... 150,000

" Supplies voted for 1800, exclusive of vote of credit, 1799..... 35,686,552

" Advance to Ireland..... 2,000,000

" Vote of credit for probable contingencies.... 1,400,000

" Interest payable for imperial loans..... 497,735

£. 64,438,488

" XII. That it appears by the report of a Committee of this House in 1791, that the actual expenditure of the peace establishment (including the annual million for the sinking fund) was on an average of five years, ending the 5th of January 1791.... 16,816,985

" That the additional charge incurred by debt created since 1793, exclusive of interest payable by Ireland, is..... 8,582,395

" That the additional charge to be incurred for increased amount of exchequer bills outstanding, is 55,000

" That the additional charge to be incurred for interest of navy debt is £. 150,000

" That the additional charge incurred on the consolidated fund is 131,650

" That the additional charge incurred for a sum annually voted for redemption of debt is 200,000

" That the additional charge on 18,000 seamen, the number employed in the last peace, from augmentation of pay, addition to their provisions, and increased price of naval stores, cannot be estimated at less than 351,000

" That the additional pay to the army, on the same number as in the last peace, deducting stoppages, cannot be less than 170,000

" That the increased charge of half-pay and Chelsea, cannot be estimated at less than 130,000

" That the increased charges of the ordnance, calculated on the numbers in the last peace, cannot be estimated at less than 49,500

" And that the future peace establishment (exclusive of any charges to be incurred by interest on sums to be paid on winding up the expences of the war, exclusive of any augmentation in the naval or military establishments beyond the last peace; and exclusive of 497,000*l.* interest due by the Emperor of Germany, and guaranteed by Parliament), cannot be estimated at less than 26,636,530

" XIII. That the gross produce of the tax on income for the year ending the 5th of April 1800 (exclusive of voluntary contributions); did not exceed the sum of 5,801,624*l.*

" XIV. That the amount of 3 per cent. stock (of which the interest is to be defrayed, and the principal to be redeemed by the tax upon income) created in the year 1798, was 16,000,000*l.*; in the year 1799, 19,250,000*l.*; and in the year 1800, 21,195,000*l.*; making a total amount to be redeemed by the tax on income, of 56,445,000*l.*

" XV. That supposing the war to end with the present year, the net annual produce of the tax on income to be 6,000,000*l.* and the 3 per cents. to be, on an average, at 80, the sum of 56,445,000*l.* together with the interest thereon, would not be redeemed until the beginning of the year 1810; and that the probable annual expenditure during the first nine years of peace (exclusive of any charges to be incurred for sums to be paid on winding

up the expences of the war, or any increase in the naval or military establishments, beyond the last peace), cannot be estimated at less than 32,600,000l."

Mr. Chancellor PITT observed, that as far as the resolutions went, they appeared to him to be correct; but having some additional resolutions to propose, he wished that the debate should be adjourned till Thursday, on which day he could bring them forward.

The debate was accordingly adjourned.

Sir F. BURDETT JONES rose to postpone his motion relative to the prison in Cold Bath Fields till Wednesday next. He expected to receive some further information in the mean time, which, added to the circumstance of an honourable friend of his having requested that he would bring forward his motion that evening, induced him to defer it.

Mr. Chancellor PITT.—"What is the nature of the motion of which the honourable Baronet has given notice?"

Sir F. B. JONES.—"I mean to move for an inquiry."

Mr. W. DUNDAS saw no necessity for delay. The inquiry was in itself not at all necessary.

Mr. Chancellor PITT said, that if the object genuinely in view was a public inquiry for public good, that object would be substantially attained by discussion in that House. The honourable Baronet, whose motives were, he believed, perfectly worthy of a member of Parliament, could hardly wish to irritate and goad the public mind; and yet such were likely to be the effects of repeatedly agitating a subject in which passion was so likely, for the moment at least, to prevail over reason. Those, therefore, whose real object was to direct the attention of Government to the state of the jail in Cold Bath Fields, would surely be satisfied with the discussion in that House. No grounds had been laid for the interference of Parliament. If the facts stated by the honourable Baronet and his friends were genuine to any extent—were such especially as to require that Government should, by the exertion of its executive power, make an alteration in the system of the jail, gentlemen might assure themselves that Government would pay every proper attention to the subject. This too was the wiser course. Only Government could give instructions to the magistrates with effect, and it would have no objection to do so whenever it perceived the necessity of interference. Hence the propriety of referring all complaints to Government in the first instance; and if the honourable Baronet would refer all persons complaining to him to Government, should Government not enquire into the causes of complaint, and remove the grievances, if

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any existed, the honourable Baronet might ultimately apply to the House, and such an application could not fail to be received with all the attention due to its importance. It would be extremely impolitic, did the House take up such matters in the first instance. It would be inconsistent with its functions to assume that which was properly the office of the Executive Government, and resolve itself into a Board of Police, instead of looking forward to the salutary operations of Government, or waiting to be resorted to in the last instance. The delay proposed by the honourable Baronet appeared ill-judged; for the House would on Wednesday be within forty-eight hours of finishing all the public business. But as in the advanced state of the session the inquiry was not practicable, he submitted to the honourable Baronet, whether the better way would not be to defer the motion for the present altogether.

Sir F. B. JONES said, that as he differed in opinion from the right honourable gentleman, he must persist in his intention of bringing forward the motion for an inquiry.

Mr. TIERNEY thought that, as the House had entered on a similar inquiry last session, the principle of a direct interference in the government of the jail was recognized; and there being, in his mind, a strong case laid, he must think an inquiry necessary. He wished, however, his honourable friend would bring forward his motion to-morrow; to which Sir Francis agreed.

HOUSE OF LORDS.

Tuesday, July 22.

The House resolved into a Committee upon the Infanity Bill, Lord WALSINGHAM in the chair.

The LORD CHANCELLOR proposed two additional clauses by way of amendment to the bill. After adverting generally to the great and various danger to be apprehended from insane persons when suffered to go at large, and without the least restraint, and observing that nothing in the bill appeared to him effectually to remedy this evil, his Lordship stated, that the object of the first clause was to render individuals, apprehended on suspicion of labouring under the dangerous and dreadful malady in question, amenable to summary justice; and thereby more effectually to provide for the public security. It was proposed by the clause, to prevent such individuals from being bailed in any circumstances, without the concurrence of one of those magistrates who committed him, except by

the Judges, or at the Quarter Sessions of the Peace.—The clause being read which went to enact the above,

Earl STANHOPE rose and complained of the proposed regulation as severe and oppressive. He wished the noble Lord to state, whether he meant, that supposing four magistrates, before whom such individual should be brought for bail, should concur in the propriety of admitting him, the proceeding should be illegal, except the individual magistrate who committed him signified his consent.

The LORD CHANCELLOR observed, that such was certainly the present object of this clause.

His Royal Highness the Duke of CLARENCE, without wishing to give an express opinion upon the amendment, rose to vindicate the general character of the magistracy of this country, who, he asserted, were incapable of the gross impropriety of conduct which a noble Earl seemed to have in contemplation.

The LORD CHANCELLOR and Earl STANHOPE spoke severally in explanation; after which the question on the clause was put and carried, and the clause was ordered to stand as part of the bill.

The LORD CHANCELLOR said, that the second clause proceeded on a principle similar to the first, namely, public security—but more especially with a reference to the personal safety of the Sovereign. It was well known, that persons labouring under this deplorable calamity had an unaccountable propensity to intrude themselves into the residence of His Majesty. No less than four instances of this kind, more or less alarming, had occurred since the affair of Hadfield. One instance was particularly of this description, and within the knowledge of the illustrious personage then present. However, as much as possible to remedy this evil, the clause he should propose would go to authorize the Secretary, or some other high officer of state, to apprehend and detain persons of that description found in such suspicious circumstances, and to cause a Committee of Inquiry to take place; and in case the individuals should be found really insane, to take the most effectual steps for securing him.

The clause was agreed to, and inserted; and the bill passed the Committee.

The LORD CHANCELLOR left the woofsack, and having the Executory Devises bill in his hand, as it had been sent up from the Commons with amendments, explained to the House the history of the progress of the bill, and the nature of the amendments made to it in the Commons. His Lordship said, it was not a bill

JULY 22.

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that had been precipitated through Parliament in any manner, since it had been introduced into that House early in the session, then printed for the inspection of their Lordships, the Members of the other House and the public, and no further step taken respecting it for some months. He had thought it necessary to consult the Judges, and desire their examination of the bill, and their opinion upon it. He had received from some of them several suggestions fit to be attended to, and had amended the bill accordingly. He had then sent copies of the bill to each of the most eminent conveyancers, had requested them to look over it with attention, to consider it with care, and to favour him with their general opinion of its provisions. In consequence of their advice, he had changed the language and expression of it, and put it chiefly into conveyancing terms, in which form it was sent down to the House of Commons. That in that House a learned friend of his, to whom the conduct of the bill had been entrusted, had thought it right to take out all the conveyancing terms, and put it into plain English and plain language, so as to render it perfectly clear, explicit, and intelligible to every capacity. His Lordship explained, that necessarily, from the nature of the tenure of landed estates, so different from those of landed estates in this country, it did not extend to real or freehold estates in Scotland, but only went to personal estates and personal property in that part of the kingdom. To his learned friend, the Master of the Rolls, he had communicated all the suggestions of the Judges and the conveyancers to whom he had submitted the bill, and it had passed the Commons with some amendments, but, with a few exceptions, with general approbation. He therefore moved, "That the bill, with its amendments, be agreed to." It passed *nemine assentiente*.

HOUSE OF COMMONS.

Tuesday, July 22.

Mr. BRAGGE brought up the report from the Committee of Supply, of the resolution granting to His Majesty the sum of 1,400,000*l.* to enable His Majesty to fulfil his engagements with the Emperor and other powers, &c. as exigencies may require; which was agreed to.

Mr. Chancellor PITT brought up the report from the Committee appointed to examine a plan for enlarging the House of Commons for the accommodation of the members of the United

Parliament. The report stated, that the Committee had inspected the House, and, together with Mr. Wyatt, the architect, had agreed upon a plan which they submitted to the House; it further stated, that considerable advantages might be gained by improving the communications; and offered the same for the consideration of the House, with a recommendation to submit the said plan to His Majesty for his most gracious approbation.—Ordered to be laid on the table.

Mr. ROSE moved the order of the day for the House to go into a Committee on the bill for granting to His Majesty a certain sum out of the consolidated fund for the service of the year 1800. He then moved an instruction to the Committee, that they should be enabled to receive a clause of approbation; which was agreed to, and the House went into a Committee, in which the clause, &c. was adopted, and it was proposed to fill up the blank with 5,200,000l.

Mr. ROBSON said, that he strongly objected to a charge brought upon the country by the sum of 150,000l. which he saw was to be given to the Emperor of Germany as an indemnification for the loss of his magazines, stores, &c. This demand he considered as one of the most extravagant and extraordinary that could possibly be made. He did not see what claim could possibly be made by the Emperor, as he lost them by the fortune of war; for which risk he was already paid, and for which consideration he ran the hazard of the war. By this grant, he said, a precedent would be established that would leave no end to our grants; and it would be impossible to check any account subject to such contingent calls. He felt himself called upon to say at least so much, when he saw another grant of 500,000 guineas going out of the country, at a time when taxes were high, and when distress was so general that the people could scarcely sustain the weight of them. Under such considerations, he could not sit still and vote away in such a manner the public money. The effect of such precedents would be, that next session we should have tails to all the public accounts that were delivered into the House. He wished to know when the treaty with Russia would end.

Mr. Chancellor PITT said, that there was but one grant of that description which the honourable gentleman gave; that was the grant of 150,000l. to the Emperor of Germany. The Committee would then judge, whether His Majesty was at liberty to shew his generosity to the Emperor under the disastrous events of Stochach; and whether they would feel disposed to ratify the grant made under

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such circumstances. As to the treaty with Russia, it would end when the Russians were gone.

Mr. JONES said, that to be just before we were generous, did certainly apply here; but were the Chancellor of the Exchequer to state, that those expences were likely to decrease, it would be some satisfaction. The short and long of the business, said Mr. Jones, is this, that the loan to the Emperor is no more than a ransom for Vienna, and will fall into the hands of Bonaparte.

The blank was then filled up with the sum of 5,200,000*l.* and the bill passed the Committee. The House was resumed, and the report ordered to be received to-morrow.

Mr. ROSE moved the order of the day on the amended bill for preventing unlawful combinations of workmen; which was, that it should be read a third time.

The ATTORNEY GENERAL said, that on a full and mature consideration of the bill, he had to object to a clause which was in its nature highly exceptionable. The clause was that which went "to establish a summary mode for settling all disputes that may arise between masters and workmen respecting wages, and that their work should be settled by arbitration, or reference of such matter or matters in dispute; that such award should be final and conclusive, but that in case of the arbitrators not being able to agree, and come to an award in the space of three days, then that the dispute should be referred to one of His Majesty's justices of the peace, whose award shall be final and conclusive." To this clause he objected, as its obvious tendency was to fix the wages; and the adjustment was a mere pretence, masking that very purpose. The object of the clause in reality was, to settle and adjust wages, and not such differences as may arise on the contract itself. As such, no gentleman would imagine that a bill begun for one purpose, should embrace another that never could be its aim. On a reference, the workman may name an improper person that a master would be obliged to meet,—this would be a sort of Solicitor General in that trade, who would no doubt be paid and indemnified for his labour and genius. It was further provided, that in case they did not agree, the parties could go before a justice. This must be highly embarrassing to a master in business who may employ a great number of hands; and so numerous may the disputes happen to be, that he could have little time left for his manufactory, as he may be called upon to attend at one time a number of arbitrators from this vexatious clause, which would prove an engine of vexation, and completely subject the masters to their workmen. For these reasons he would move that the whole clause should be omitted.

Colonel GASCOYNE said, it was extraordinary that the right honourable gentleman should have delayed his objections to the last stage of the bill. The bill was one month in its course; it was before a most respectable Select Committee, delayed from day to day at the instance of the right honourable gentleman, and not one syllable objected by him against it until now: and the very clause itself, so objectionable in his opinion, was copied *verbatim* from an act of this session, "the Cotton Manufacturers act," a circumstance that the right honourable gentleman, with all his legal abilities, did not seem aware of. Had he met with this opposition in the Committee, he should have been better prepared for it, as he suspected the right honourable gentleman had his objections from certain individuals in trade, who had a large interest in giving the bill this opposition. The interests of those gentlemen would certainly be hurt, inasmuch as those mulcts and fines derived to them from certain neglects of duty, &c. would be done away by the clause now proposed to be omitted, and hence their objections. It was admitted by all, that a summary mode of proceeding was necessary; this clause would produce that effect, and would reconcile tradesmen to the other parts of the bill, and to all the amendments of the right honourable gentleman, which were on account of this clause admitted. Their minds were reconciled by this clause, which before were much irritated against the bill; and he would ask, whether it were not better to let the bill pass, than give provocation by rejecting the only security that the workmen had for the good behaviour of masters towards them? Combinations were as frequent amongst masters as journeymen, as having an opposite interest; and, on that consideration, something should be thrown into the scale of the latter. Without that clause, the bill would not be worth accepting, and he could not collect from the arguments of the Attorney General any reason for omitting it; nor could he conceive why the workman would not choose a respectable person, as an arbitrator for his differences; did he do otherwise, it must carry his cause (in case of a disagreement in the arbitration) before the justice with a considerable degree of prejudice, such as men are naturally subject to; for these reasons he would oppose the omission of the clause, as it was that which was most likely to prevent combination.

Mr. DENT wished that they would try the experiment, by letting the bill pass for one session, as the Attorney General had not stated his arguments earlier, which would have been fairer, and more consistent with that candour for which he was so remarkable. He rescued the workmen from any imputation of selecting improper persons to adjust their disputes with the masters; and said, that they

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would not be led to choose bad or improper persons for that purpose, as there was as much order and decency in the lower as in the higher classes of society.

Mr. Chancellor PITT said, that he did not wish to trouble the House at present with any observations on the clause in question, which certainly was liable to objections, and which admitted, to a large extent, the construction which his right honourable friend had put upon it. He thought it best, however, to consider it, and would move to adjourn the debate until to-morrow, for the purpose of obtaining fuller information on the subject."

Mr. SHERIDAN said, the Attorney General's was the most extraordinary proposal he had ever heard. "In the last stage of a bill a right honourable gentleman proposes to take away a clause in which the whole virtue of the bill consists; and, after he has been completely refuted, his right honourable friend, the Chancellor of the Exchequer, rises to move that the debate be adjourned till he shall have time to devise new arguments." This clause, Mr. Sheridan said, was copied almost *verbatim* from an act which had passed last session of Parliament, for the regulation of the cotton manufactories, and contained nothing but what was just, reasonable, and politic. He must hear very different arguments before he would consent to the debate being put off a single hour.

The SOLICITOR GENERAL shortly argued against the clause, and in favour of adjourning the debate.

The House then divided upon Mr. Pitt's motion, when there appeared—Ayes, 31; Noes, 14. Majority, 17.

Sir FRANCIS BURDETT JONES rose to move for an inquiry into the economy of the House of Correction in Cold Bath Fields. He began by saying, that he had thought it would not have been necessary for him to take up one minute of the time of the House, as the papers which had been laid before them contained such various, strong, and incontrovertible proofs that the grossest abuses had been committed, and as every one testified an eager desire to have the affair sifted to the bottom. From some conversations, however, which he had lately had, he had become less confident. He was told, that unless a very strong case of abuse was made out; unless it could be proved that the magistrates had shewn backwardness to redress the grievances which were complained of to them, and that applications to the inferior courts would be ineffectual, it would be improper for the House of Commons to interfere. Even these gentlemen, however, he hoped to convince of the necessity of immediate interference. The existence of numerous and flagrant abuses was clearly demonstrated by the papers lying on the table, as was like-

wife the negligence and misconduct of the magistrates. The honourable Baronet here read over several of these papers, and commented upon their contents. It was stated, he said, in the report of the grand jury, that the prisoners had not bedding enough for the summer season: what then must be the wretchedness of their situation in winter, shut up in a cold damp cell, without even a fire-place? To this abode of misery were many sent before they were convicted, and even some not charged with a crime. The case of Mary Rich was too shocking to be described. From the unparalleled barbarity of her keepers, she had even become incapable of the purpose for which she was confined, and was unable to give evidence against the man who had attempted to ravish her. The manner in which these proceedings were justified added to their enormity. She lay naked, because her only rug had been taken to cover a woman in labour. She was stated to be a worthless girl, and to have said to a nurse, that she never would have complained if the gentleman had given her the money he had promised. But was this nurse to be believed, who was one of the *double allowance prisoners* whom the governor used well that he might maltreat the rest with impunity? and even though the poor child was really unprincipled, was this any excuse for the barbarities she had experienced? *She was poor, and her parents in extreme indigence.* So, poverty was a reason for inflicting cruelty upon the person it weighed down, and it was praise-worthy to add to its evils! The justices concluded their report by saying, that upon the whole Mary Rich appeared to them to have been properly treated during her confinement. Did not this circumstance afford a damning proof of the negligence and insensibility of the magistrates? Such was the profligacy, such the want of feeling and the sycophancy of the jail committee, that (shocking to relate) twelve magistrates had been found venal enough to return a verdict, that Mary Rich, a prosecutrix as she was, and not a criminal, had been duly and properly treated. Nay, they had prostituted themselves to the lowest abyss of infamy. They had, like the inhabitants of Sodom, gloried in their shame, and endeavoured to extract an apology for their misconduct, their negligence, and delinquency, out of the poverty of the parents. This was heaping the measure of their crime till the cup ran over; it was the completion of injustice. A scene of iniquity hardly to be paralleled was declared by twelve magistrates to be innocent, and not to attach the smallest blame to its author. They had examined Mr. Aris; but was he the proper person to examine concerning his own atrocities, or the felony committed by his son? Why did they not examine the person from whom the silk handker-

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chief was stolen by the latter, and those who were eager to give evidence of similar abuses? However, since they were of opinion, that there was nothing wrong in the case of Mary Rich, it was probable they would even declare the conduct of the governor and his son to be immaculate. There certainly attached the highest degree of culpability to the conduct of the jail committee. Nay, to such a degree did their negligence extend, that they disregarded even the explicit charges of the body of magistrates in general, who had expressly pointed out certain articles of grievance, which the Committee afterwards thought proper to scout. He regretted exceedingly, that the second report of the traverse jury had not been laid before the House, as it contained several facts of the greatest importance; and he regretted this the more as he now found that it might have been called for, the greatest regard being had to regularity and form. He could prove, that, notwithstanding what had been said to the contrary, it had been sent in a regular manner, directed to William Mainwaring, Esq. chairman of the quarter sessions for the county of Middlesex.

The following was a copy of the letter which inclosed it :—

SIR,

July 12, 1800.

In consequence of some remarks in the House of Commons, concerning our inspection of the Cold Bath Fields prison, the heads of which we presented to you in open court, on Thursday the 5th of June last, accompanied with verbal remarks on the state of that prison, by our foreman, who also informed you and the court that the jury would at any time attend the prison committee, to explain more fully to them the condition of the prisoners, as we had not time to draw up a full presentment: therefore we take the liberty of presenting a full report of our inspections; a copy of which we have presented to the grand and traverse juries of the present sessions, for Middlesex, held at Clerkenwell Green.

W. Dickie, Foreman

Robert Scott,

W. Watson,

Thomas M. Alpine,

W. Dobson,

John Thomas,

John Lloyd,

John Beale.

To William Mainwaring, Esq. Chairman
of the Sessions, Clerkenwell Green.

And delivered for him (he not being present) to the deputy clerk of the peace, at the Sessions House, in open court, on Monday, July 14th, 1800, by Mr. Beale.

The first report was extremely defective, as many of the prisoners who were in the most deplorable condition had been kept out of view. He should state a few circumstances, every one of which he could verify by the most incontrovertible evidence, and which would shew to what an extent the jury had been deceived, and what a loud call there was for the interference of that House. A man of

the name of George Hart died upon the 3d of June; and, though he must have been in the prison when the jury visited it, he never was produced to them. Another unfortunate man, named Cheneau, died on the 14th July, and proof was repeatedly offered that he had been starved to death, and as often rejected. Luke Earley expired on the 15th, and a packed jury was sworn to return their verdict to the coroner, before whom no other evidence was called than that of the surgeon and his mate. Davis, one of the prisoners, had been asked, whether if he were brought before the jury, he could say any thing as to the cause of the man's death? and upon his replying, that he knew he had been starved, the governor had him rejected. Since the verdict had been given, application had been made to the coroner who took the inquest, in order that there might be a second inquiry; what the consequence of that application had been, he did not know; he believed a decisive answer was to be given in the course of this day. Surely, after what he had stated, no one would say there were not just grounds of suspicion; he had no hesitation in saying, the committee of magistrates had most scandalously misconducted themselves, and that the whole of their proceedings called for the interference of the House. He hoped to make it as clear that the House should interfere without delay. The courts below were pointed out as the proper places to be applied to. How could a man whose last shilling had been extorted from him, who smarted beneath cruel oppression, and who trembled for oppression still more cruel, who was perfectly unknown, (for one might easily be murdered there without the world being acquainted with the foul crime), and who had no way of informing his friends of his sufferings, apply to a court of justice for redress? These poor wretches were so completely in the power of the jailer, that they dared not to complain. Nay, various instances had occurred in which the rigour of confinement had terrified them to have recourse to suicide. It was true, that the prison possessed an infirmary; but the institution was perverted from its proper aim and object, and was accessible only to such as could afford to pay for it. In proof of this assertion, he instanced a variety of cases, which tended to shew that much venality, plunder, and extortion, had obtained a footing in the economy of the jail. "At Hick's-Hall (said Sir Francis) the Monday before last, when Mr. Dickie, the foreman of the traverse jury, and Mr. Beale, one of his colleagues, were present, a man of the name of James Williams, who had been discharged from the prison the night before, came in, and told the justices, that the man who died the day before had to his certain knowledge been starved to death, and that many pining for

want were concealed in the remote cells. As he was going away, the jailor's clerk ran behind him, put his hands into his pockets, and tried to rifle him of his papers. He was carried back, and then Aris and the clerk actually robbed him of these documents. The jury represented to the court, that it was their duty to protect him; but their worships paid little attention. Upon the representation, however, of Mr. Agar, a barrister, they returned him all the papers except one, which was a letter of great consequence: that was retained by Mr. Robinson, one of the justices. Was there ever a more nefarious proceeding? Did not this prove that applications to the magistrates would be perfectly ineffectual, and that it was impossible for the wretched prisoners to convey their complaints to a higher tribunal? But, though they had the means of applying (as they have not), the inferior courts were quite inadequate to correct the abuses I complain of: they take cognizance of particulars, not of generals; they can redress the grievances of a single individual, but they can in no way redress those of the public. A great, an enormous, an unspeakable public grievance exists, and it can only be removed by the interference of this House." Sir Francis said, he had only given a few out of many instances of abuse which he could have mentioned; these he should prove at the bar, if an opportunity should be afforded him, by the authority of many, besides the inmates of the prison—by the authority of magistrates and others, of the greatest respectability. Several magistrates, it would appear, had complained, though the prison committee turned a deaf ear to their complaints. The House stood in a most delicate predicament:—one of the arguments for smothering all inquiry he knew to be, that it would be a libel upon the House of Commons, if, after what had happened, the governor should be found guilty. He did not demand redress for individuals, but he demanded a vindication of the rights of the community. He hoped that, when abuses of this nature had come to this enormous height, the House would shew that, whatever differences might exist on political subjects, all were unanimously resolved to protect the injured, to rescue the wretched from oppression, and to shew that cruelty was not to be inflicted with impunity, even on the lowest and most profligate.

Sir Francis concluded by moving, "That this House do tomorrow resolve itself into a Committee of the whole House, to consider the state and management of the prison of Cold Bath Fields."

The ATTORNEY GENERAL said, that however he might disapprove of the motion of the honourable Baronet, he hoped that

considerable good would be produced by this discussion. He could, however, by no means approve of the House of Commons interfering in what was properly the province of the Executive Government, and departing from the law regulating the management of prisons and places of confinement, which had been the result of the wisdom of ages. The particular instances of improper conduct adduced by the honourable Baronet could not fail to be lamented by every gentleman. But there is a remedy provided by the law. If a man dies in prison, the coroner has power to sit upon his body, that the cause of his death may be the better ascertained. His jury must always be chosen, one-half from among the prisoners, who, having means of being acquainted with the treatment of the person who has died, and the circumstances attending his death, will be the better able to determine whether his death was occasioned by improper treatment in the prison, or from natural causes. In the very case of Hart, which the honourable Baronet had stated, a coroner's jury, so chosen, was held upon the body and it appeared to this jury, so constituted, that the man had been ill ever since he came into the prison; that he was of a scrophulous habit; that he had been on a milk diet; that he had indulged in lying almost constantly in bed, which had increased his disorders; and that those things were the true causes of his death. I mention this, rather to shew that the same case may be very differently stated, and that absolute and implicit credit is not to be given to high-coloured representations made for particular ends, than to prove that the House should not interfere. The same remark may be made on the other cases adduced. If the gaoler's son really stole the silk handkerchief, and if he was guilty of felony, the regular method of proceeding was to indict him for that felony; but upon all that has been stated in this case, I do not know that any real act of criminality has been committed in this instance. Certainly it is the duty of the Executive Government, in cases where complaints are made against the conduct of those to whom the management and superintendence of prisons are intrusted, to inquire into these complaints, and if they find them justly made, to direct prosecutions to be entered against such persons; indeed, I cannot see that there can be any other issue to an inquiry, were it granted by this House; and if the complaints had been made to the Executive Government, this issue would have resulted without troubling the House. If the Executive Government had refused to do this, then there would have been some ground for inquiry. The honourable Baronet had stated some offences of the highest nature to have been committed by the keeper of this prison. But if such offences have been committed, if any prisoner has been

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starved to death, as alleged, the persons who have done this are really guilty of murder, and the proper way of proceeding against them is to indict them for the murder. But I must think, that, however fair may be the intentions of the foreman of the traverse jury, he has adopted a very intemperate and injudicious line of conduct. Instead of making representations to the committee of magistrates, he ought to have laid the facts which he had alleged before the grand jury, as grounds of criminal indictment, and the opportunity still remains for him to adopt this regular mode of proceeding. If the conduct of the magistrates has been culpable, then it is in the power of the Executive Government to direct the law officers of the Crown to prosecute them in another manner, before the Court of King's Bench; and if the charges against them are proved, that Court will, by a power adequate to the purpose, and which has been exerted in other instances, punish them, either by striking them off the list of magistrates, or in some other legal way. If, then, the law has provided other means of redress for the grievances complained of, if they can be discussed with more calmness in another place, and if it is foreign to the peculiar business of the House of Commons to interfere in such cases, I hope that this will be sufficient to justify the rejection of the present motion.

Mr. SHERIDAN said, that in his opinion his honourable friend, the worthy Baronet, had made out a clear and insurmountable case in support of his motion; and he had not heard a single word of argument advanced against it by the right honourable and learned gentleman who had just sat down. "He has said, that much good will arise from the discussion; but he calls the House to assume, that the Executive Government will in future have information which hitherto they have not taken care to obtain, and that the law officers of the Crown will act upon information upon which they hitherto have not acted. The learned gentleman has also said that these grievances can be, with more propriety, and with greater calmness, discussed elsewhere than in the House of Commons—by His Majesty's Ministers, who seem hitherto not to have discussed them at all.—He has said, that the House should be cautious of interfering with laws, which are the result of the wisdom of ages; but he has forgotten that the species of confinement in this prison is new in this country; that it is solitary confinement. Besides, does he not by such arguments libel the proceedings of the House of Commons in the last session of Parliament? The worthy Baronet then brought forward similar statements to what he has done this night; he justly and with reason expected that it should have been left to him to make the motion for inquiry—In his absence, how-

ever, and without his knowledge, a right honourable gentleman opposite (Mr. Dundas) moved, without stating any grounds, that a Committee should be appointed to inquire into the state of this prison. The motion was agreed to, the Committee was appointed, it met, made some inquiries, and finally gave in a report upon the subject. What will be the inference from the House following this line of conduct then, and refusing on this learned gentleman's principles to accede to the present motion? It must be this, that when cases of murder, of theft, of inhumanity, of cruelty, of brutality, are stated and offered to be proved, then it is not worthy of the dignity of the House to interfere or make inquiries; but if no grievance is stated, if no evil is complained of, if no crime is alleged, then it is not unworthy of the House to examine and inquire. The report of the Committee of the House which inquired into this subject last year allowed that none of the regulations had been strictly adhered to; but it concluded, at the same time, with high encomium on the prison in general, as to its utility and advantages. But were not this Committee deceived? I think it would be no difficult matter to prove that they were egregiously duped, and misled in their opinions and conclusions. From their report it appears, that two justices were appointed, under the name of the visiting justices, to visit this prison twice a week, to inspect into the manner in which the prisoners were treated, and to report their observations. These visiting justices were afterwards superseded by a committee of justices, called the prison committee. Did these justices either visit regularly, as appointed, or did they report?—They did neither. And when they did visit, care was taken to keep out of their sight many miserable wretches, whose sufferings had they witnessed, they could not have overlooked. It appears from the report of the Committee of the House, that the prison committee in general did nothing more than meet in the committee-room and examine,—whom?—the very persons from whom they could least expect any impartial accounts whether or not the prisoners were properly taken care of, the gaoler, the doctor, and the parson. That the first question they put was to the gaoler: Are the prisoners properly fed? Are they kept clean, and as comfortable as their state of confinement will admit?—"Certainly," answers the gaoler, "every thing is properly managed; the prisoners are remarkably well taken care of." That the second question they put was to the doctor: Is the health of the prisoners properly attended to, and when sick are the proper medicines administered?—"Certainly," answered the doctor. That the third question they put was to the parson: Are the spiritual concerns of the prisoners properly attended to?—

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"Certainly," again, is the answer. That thus, instead of calling the prisoners themselves, to state what was their treatment, whether or not they had any grounds of complaints, they called only those persons who, supposing grievances to exist, could not speak the truth without criminating themselves. Yet the Committee of the House of Commons pass over this conduct without censure. The next duty of the prison committee was to make a code of laws for the management of the prison, and have this code printed and hung up in proper places of the prison, that the prisoners might be able to judge, by comparing their treatment with this code, whether they had cause of complaint. The Committee of the House inquired if this had been done. The answer was, No ; that a code of laws had indeed been drawn up, and had been printed, but not in such a form as to make it possible for it to be hung up in the prison. Other persons, out of the prison, might have it ; but from the sight of the prisoners, for whose benefit it was intended, it was entirely kept back. This still went without the censure of the committee. A third regulation for the management of the prison was, that the gaoler should keep a journal of every thing that occurred, and lay it before the prison committee. Had he done this ? He confessed that he had not for several months. He was asked, "Why ?" He said nothing had occurred. He was reminded of some very remarkable circumstances which had occurred in the prison during that time. He then confessed his neglect. Some small blame was imputed to it by the Committee of the House, but there it rested. He was asked if ever he had requested the loan of money from the prisoners. He had never asked it, but had received in some instances small loans, which he afterwards repaid. With this answer the Committee were satisfied ; but if now the House will consent to enter into an inquiry, I will pledge myself to prove, that no comfort or convenience could be procured without a bribe to the gaoler ; that even the infirmary was shut to the sick who had not money to purchase their admittance into it. To the eternal disgrace of the justice of this country, this man, Aris, after all these acts of criminality, continues in the exercise of his office."

Mr. Sheridan then proceeded to advert upon some of the facts stated by Sir Francis Burdett Jones ; of the gaoler's borrowing money from the prisoners by means of intimidation ; his ill usage of those who had none to lend ; his refusal, without money, to allow the sick to have the benefit of the sick ward ; and his procuring the liberty of many persons upon false pretences, who were able to gratify his avarice. All this had been proved to the Committee, and that by his honourable friend, against whose former humane inter-

ference the foul slanders of that very gaoler (whose character he had just described) had been so far attended to by the Secretary of State, as to have him prevented in future from visiting any of the prisons. A learned gentleman had said, that the prisoners might apply to the King's Bench. How was it possible, even had they the regular means of such an application, that prisoners could convey their complaints against a man who was their head gaoler, and who had three of his sons for his turnkeys? The very attempt might draw upon them worse treatment than they had experienced before. Mr. Sheridan next adverted to the case of Cheneau, and read the following letter from James Williams, describing the melancholy case of that unfortunate man, as well as the severe treatment to which he himself was exposed :

Sir, The first of my being committed to the New House of Correction, in Cold Bath Fields, was on Wednesday the 11th of June, 1800, to the 14th of July, being 33 days. From the 11th to the 23d of June, I had no other support than bread and water ; three days after I fell sick, and could not eat bread and water ; I desired the turnkey to send me the doctor, but he never did : there were ten of us ready to faint away in the yard ; we made application to the turnkey to speak to the governor, to let us have some broth ; but he would not let us have any for a week after, until we were almost dying for want ; but 12 days before the sessions we were served with a little broth every other day. One Cheneau was a prisoner with me in the same yard for 16 days, and had no support but the same as I had, bread and water ; about eight days before the sessions he fell ill, and told me his illness was for want of food ; he said, his inside was quite perished, and told the turnkeys his starving situation ; they said, they could not help it, there was no more allowed in that yard but bread and water. He told the turnkey to send the doctor, but he did not come for three or four days after, until he was too far gone : we told the doctor's man that Cheneau was dying ; but he said he would lie in bed half a year if he would let him ; however, on the 12th of July, he was admitted in the sick ward, but he died next day, 18th July, at night. Mr. Khyn was prisoner at the same time, and was two months there before me, and he had no allowance but bread and water ; he was hardly able to crawl about the yard, and no person was permitted to see him.

July 21, 1800.

(Signed)

JAMES WILLIAMS.

Would not the House interfere in a case of this black nature, or if they refused, must they not seem not only to neglect their duty, but to make a common cause with Aris ? Mr. S. added a circumstance which he said he learned from undoubted authority ; that Aris in the court of justices, and before them, said, with a malignant sneer, to the foreman of the traverse jury (who was remarking something respecting the improper management of the prison), " I wish I had you there." If these things were so, it was the duty of the House of Commons to interfere. Ministers must have the

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feelings of other men ; they must be shocked ; and though the House were to do nothing, he did not doubt that some good would result from this discussion. But no remedy could be effectual without repealing the law which gave such power of inflicting misery, and without making new regulations as to solitary confinement. He could not hold expressing his surprise at the whole of the conduct of the following gentlemen in this business, who compose the Committee of Justices :

Colonel WILLIAMS in the Chair ;

Wm. Mainwaring, Esq.	Thomas Bennett, Clerk,
Fred. Matthew, Esq.	Millington Buckley, Clerk,
John Bond, Esq.	James Hebert, Esq.
Hammond Croffe, Esq.	W. Marmaduke Sellon, Esq. and
Wm. Bleamire, Esq.	Wm. Spencer, Esq.
David Dean, Esq.	

It was melancholy to observe their insensibility to the sufferings of the unhappy wretches whose cases had been laid before them ; and he could not conceive how they could justify themselves in sending in, as a report of a grand and traverse jury, what they knew never to have been the report of those juries. Mr. Sheridan then read the report of the visiting committee on the case of Mary Rich, on which he commented in very strong terms. It was admitted, that for a long time she had no other food every other day, but bread and water ; during which time she was living in a stone cell, with one blanket : but the Committee of Magistrates entered into an inquiry into the state in which this poor girl lived at home, and gave a long statement of the poverty of her father and mother, in order to prove that she must have lived better in a stone cell, upon bread and water, than she did at home. Upon the whole, these gentlemen concluded their report with stating, that they thought the treatment this poor girl had met with was perfectly proper. He should be ashamed to take up the time of the House in commenting upon this document ; there certainly could be but one feeling upon it, among men of honour and humanity. After what had been stated, would it be any longer said in that House, that the poor wretched prisoners could apply for redress to the magistrates ? He was sure that the gentlemen of the House of Commons last year, who were upon the Committee appointed to inquire into the state of this prison, must feel that they had been imposed upon, and regret that they had made such a report to the House. Ever since this man had been governor of the prison, the same species of misconduct and tyranny had been going on ; but still, both the Com-

mittee and the House were deceived, and the report stated, that there was no room for any reprehension of the conduct of the prison. The House must now be sensible that they had been imposed upon, and whatever might be the mode adopted by them, whether a direct inquiry, or an address to His Majesty, they must be convinced that no mode of inquiry could have any effectual weight without the concurrence and approbation of Parliament.

Mr. W. DUNDAS, as Chairman of the Committee of the House of Commons, who made a visitation to the prison in Cold Bath Fields, recapitulated the proceedings of that Committee, and argued, that from every appearance in the prison at that time, it seemed a place well conducted, and in every respect healthy and convenient. It might be true, that very improper treatment had taken place in the case of Mary Rich; and the report of the Committee of Magistrates respecting that case, he would fully admit, could not be too severely reprobated. But admitting those two propositions, it did not follow that they were such as to render a parliamentary inquiry necessary in the first instance. It was not his intention, however, to trouble the House in arguing this point, after what had been already said by an honourable and learned friend near him (the Attorney General). He had merely risen to answer the observations that had been made in reference to himself and the Committee appointed last sessions to inquire into the state of the prison in question. When he moved for the appointment of that Committee, he did so, not in the absence, as had been stated, but in the presence of the honourable Baronet opposite to him; and it was perfectly in his recollection, that that gentleman thanked him for the motion. The Committee had sat for three weeks, had adjourned to the prison, where, instead of being satisfied with the accounts alone of the governor and others who had the management of the prison, they examined a number of the prisoners individually, as to the existence of any ground of complaint; and after a laborious inquiry, they laid before the House a report exactly conformable to the information they had been able to obtain. That report stated, that the regulations had not been hung up for the inspection of the prisoners; that no journal had been kept for three months; and that it appeared the governor had, in two instances, borrowed money from the prisoners. These facts were also reported to the magistrates, who thanked the Committee for the communication, and assured them that proper means should be taken to prevent any ground of complaint in future. Thus much he had thought it necessary to observe, in vindication of the Committee. As to the complaints now brought forward, he conceived they were of a na-

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ture which certainly required that some effectual steps should be taken to prevent their recurrence. But he supposed, that after what had already passed on the subject, the honourable gentleman opposite must be satisfied that his honourable friends near him would lose no time in adopting the necessary measure for that purpose, without any interference on the part of the House.

Mr. SHERIDAN repeated, that the Committee had been grossly deceived ; at all events, it was their duty, instead of communicating to the magistrates, to have made their report to that House. They had justified the conduct of the prison, though they had found it to be absurd and wicked in many respects.

Mr. MARTIN said, that the person who devised these solitary cells (the late Mr. Howard) was certainly one of the worthiest men that had ever existed. But if he had been one of the worst, he could not have suggested a punishment of a more cruel and mischievous description. He would not pretend to judge what was the state of other men's nerves ; but with respect to himself, he was convinced that solitary confinement in such a cell for one month only would reduce him to a state in which he would be fit for no other place than a cell during the remainder of his life. This kind of punishment he held to be inconsistent with the constitution of the country, and he hoped to live to see it completely abolished. He was happy that, if this could not be immediately expected, there was reason to conclude, from the impression which the facts now before the House seemed to make on the gentlemen over the way, that some modification would take place which would alleviate the horrors of such a situation. He sat down with expressing his sincerest thanks to the worthy Baronet on the bench below him, for bringing the subject before the House.

Mr. TIERNEY said, that the subject had been so fully discussed that he would not occupy much of the time of the House. There was, however, one point to which he wished to call their attention :—All that appeared of the proceedings of Parliament upon this subject was the report of the Committee ; but after the facts which had come out with respect to the conduct of the magistrates, the House could not wish that report to remain without some contradiction. He was willing to give the Committee of last year credit for their motives ; but he could not help thinking that they had been a little hasty in drawing up the report. Gentlemen seemed disposed to resist the proposed inquiry, on account of the lateness of the session ; he would propose, as a medium, That the present motion should be withdrawn, and an humble address voted to His Ma-

jeſty, praying that he would be graciously pleaſed to order an inquiry into the ſtate of the priſon in Cold Bath Fields.

Mr. Chancellor PITT did not concur with the honourable gentleman in thinking that the ſtep which he recommended was neceſſary, on the ground on which he had propoſed it; for he believed that the report of the Committee of laſt year was correct at the time it was made. Although, from the nature of the ſubject they were diſcuſſing, he was inclined to think that many of the ſtatements which had been made were exaggerated, and ſome of them liable to doubt; yet he was ready to admit, that there was much ſubject for diſapprobation, and which ought to have called for different conduct in the magiſtrates. But theſe circumſtances were of a different date from thoſe which came under the obſervation of the Committee laſt year. All the facts ſtated to the Houſe now might be true, even to the extent which had been ſtated, (though he thought there had been more eloquence uſed upon the ſubject than from its nature it called for,) and yet every word of the report of the Committee of laſt year might be true: he therefore only objected to the meaſure propoſed by the honourable gentleman, on the ground on which he propoſed it; but he was ready to admit that ground had been laid before the Houſe to juſtify ſuch an addreſs, though he hoped it would not be wanting, becauſe there could be no doubt but that the feelings of Government would have led them to interfere on the occaſion. He would therefore concur in the motion for the addreſs, if the honourable Baronet would withdraw his motion. If the honourable Baronet would not withdraw his motion, he ſhould certainly give it his decided oppoſition.

Sir F. B. JONES ſaid, his only aim in bringing forward this buſineſs was to promote public juſtice, and to rectify the abuſes which appeared to have crept into the management of this priſon. He ſhould not therefore object to accede to the propoſal of his honourable friend, hoping that it would lead to the correction of the evils of which he had complained. With the leave of the Houſe, Sir Francis agreed to withdraw his motion; and to ſubſtitute, in the room of it, "That an humble addreſs be preſented to His Majeſty, praying that His Majeſty would be pleaſed to give directions to cauſe an inquiry to be made into the ſtate and management of the priſon in Cold Bath Fields."—Sir Francis added, that he ſhould at the ſame time think it proper, with a view of preventing the poſſibility of ſimilar abuſes in future, to bring forward ſome propoſition on the ſubject in an early period of next ſeſſion.

The motion for the addreſs was put and carried, and ordered to

be presented by such members as were of His Majesty's most honourable Privy Council.

HOUSE OF LORDS.

Wednesday, July 23.

Lord GRENVILLE, by His Majesty's command, delivered to the House a message from His Majesty; and the same was read by the Lord Chancellor, as follows:

GEORGE R.

His Majesty taking notice that the several chambers at Westminster, now allotted for the meeting of the House of Lords, and for carrying on the business thereof, and which are at present very confined and inconvenient, will be totally insufficient for the use of the House after the Union shall have taken place, has directed, that temporary accommodations for the use of the House of Lords of the united Parliament shall be provided in the Court of Requests, and in the adjacent buildings; and His Majesty has directed the plans for this purpose to be communicated to this House.

G. R.

And the same being read by the clerk, ordered, that the said message be referred to a Committee of all the Lords present this session, to meet where, and when, and as often as they please.

Lord GRENVILLE moved an humble address, thanking His Majesty for his most gracious communication.—Agreed to *nemine dissente*.

Lord GRENVILLE then stated, that the office of Chairman of the Committees (both public and private) was an office that required great ability, great industry, and a perfect knowledge of parliamentary forms, and the rules of proceeding; and that no noble Lord could be found who possessed a larger share of those qualifications than the noble Lord who now, so highly to his own credit, and so much to the advantage of the House and the Public, held that office, the duties of which he discharged with singular diligence, correctness, and propriety. He moved therefore, and it was

Resolved, That this House will, at the commencement of every session, proceed to nominate a Chairman of Committees of this House.

Resolved, That such Lord that shall be so nominated do take the chair in all Committees of the whole House, and in all Committees upon private bills, unless where it shall have been otherwise directed by this House.

Ordered, That an humble address be presented to His Majesty, to desire that His Majesty will be graciously pleased to make such annual allowance to the Chairman of the Committees of this House as His Majesty shall think fit.

Ordered, That the said address be presented to His Majesty by the Lords with white staves.

Ordered, *nem. dissen.* That the Lord Walsingham do take the chair as Chairman of the Committees of this House for the remainder of this session.

LORD WALSINGHAM rose and said :—" My Lords, however I may be embarrassed in addressing your Lordships upon a question in which I may appear to have a personal interest, I trust your Lordships will permit me to express a few sentiments which my mind suggests to me upon the occasion which is now before you.

" And first, my Lords, I beg leave to return my best thanks to my noble friend for the very obliging, but, I fear, unmerited encomiums which he has been pleased to pass upon me, and to the House for the flattering and unanimous appointment which they have so handsomely conferred upon me.

" Of the measure, allow me to say, that whoever undertakes the trust which the House is pleased thus to repose in him, undertakes no light or trivial concern. If we consider the weight of property of which we have already cognizance in these Committees, and that of which we shall now have cognizance, we shall agree that we are all deeply interested in paying as much attention to this part of our public duty as to any other, and the House judge wisely (if I may be permitted to say so) in providing that one and the same person shall be constantly and permanently in the chair, whose more immediate duty it shall be to take care that these bills proceed upon one settled and uniform principle, that no innovation shall be made upon the long-established usage and practice of Parliament, and that the property of individuals shall be improved without injury to the public.

" My Lords, if it is true, and, without vanity, I may say, I really believe it is so, (for it is no merit of mine,) that these bills are now passed in a way which gives general satisfaction to the public, it is owing to the constant and ready attendance which is given by your Lordships in these Committees, inasmuch that I verily believe not a single day has been lost in the course of this session for want of attendance; and I look forward with confidence to a continuation of the support which I have constantly and uniformly met with from so many of your Lordships, upon whose wisdom and experience I

know I may safely rely, in preference to my own frail and fallible judgment.

“ My Lords, I should also observe how much we are indebted to the noble and learned Lord on the woolsack for the able and ready assistance which we derive from him ; and though it is undoubtedly his duty to give information to those who ask for it, circumstanced as I am, yet the manner of his doing it is such as to command my deepest and most sincere gratitude.

“ As to myself, my Lords, it will be the object of my life to deserve the confidence and protection of the House, and it will give me the greatest satisfaction if by any industry or attention of mine (which is all I have to give) I can be instrumental in settling these bills, with a view as well to the private and local benefit of those who solicit them, as to the general interest which the public may have in them.”

The report of the Infanity Bill was brought up ; and the clauses moved yesterday by the Lord Chancellor being taken into consideration,

Lord STANHOPE objected at some length to that which related to the bailing of insane persons committed on suspicion of their intending to do mischief. To alleviate in some measure the evils which were to be apprehended from vesting in the committing magistrate the power of preventing admission to bail in the first instance, he would propose four amendments on the clause :

“ Provided always, That any person who shall be so committed, shall and may, during the time of such commitment, be at full liberty to apply to any person or persons for medical assistance and advice, at his or her will and pleasure, and to see such person or persons.

“ Provided also, That any person who shall be so committed, shall and may, during the time of such commitment, be at full liberty to apply to any person or persons for legal assistance and advice, at his or her will and pleasure, and to see such person or persons in private.

“ Provided also, That any person who shall be so committed, shall not be debarred pen, ink, and paper, nor the liberty of informing his relations or friends of his commitment.

“ Provided also, That any person who shall be so committed, shall be at liberty to apply to, and be brought before any one of the Judges of any of His Majesty's Courts at Westminster which he or she shall think fit, in order to be admitted to bail.”

On the first amendment being put,

The LORD CHANCELLOR observed, that there was nothing in the clause which he proposed to prevent the prisoner from receiving all the advantages which the noble Lord intended to secure to him by the amendments he had now moved. At present he conceived there was nothing to prevent medical and legal assistance from being administered to an insane person detained in custody, nor were his friends denied access to him : and as to the provision respecting the admitting him to bail, it was already included in the clause objected to. He would therefore object to the amendments, as they seemed to him to be completely unnecessary.

The House having divided on the first amendment, the Contents were 1, and the Non Contents 11.

Lord STANHOPE then declined pressing the other three.

The order of the day being read for the House to go into a Committee on the Flour Company Bill, and for the Lords to be summoned, and for hearing counsel for and against the same,

Lord WALSINGHAM took his seat at the table, and counsel were called to the bar.

Mr. Jackson was proceeding to open his argument in support of the petition of the bakers against the clauses of the bill, when

Mr. Garrow apologised for interrupting his learned friend for a few minutes ; but he had a complaint to state, respecting a gross misrepresentation of what he had the honour of stating to their Lordships upon the subject of the present bill a few days since. In a morning paper of yesterday [*The Times*], in a report of what was supposed to have passed in debate last Monday, the following sentence was put into Earl Stanhope's mouth : " He could not help taking notice of the expression which had been made use of by Mr. Garrow, the counsel, in support of the bill ; an expression which he would not have dared to utter in any other place, because it would have justly subjected him to a prosecution. This man, without calling a single witness, and without a shadow of proof, had the audacity to say, that the millers who petitioned against the bill were a set of *rascals*." Mr. Garrow said, he could confidently appeal to the recollection of the House, and to the noble Earl himself, whether he had acted in a manner so indecent to the House, so unwarrantable with respect to the petitioners, or so unbecoming himself, as to hold such language ; and also, whether the noble Lord had, in his speech upon the bill, said any thing like the animadversion and charge against him, which the words of the paragraph he had taken the liberty of reading to their Lordships imported ? But the writer, it seems, had not sufficiently gratified his malicious intentions to-

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wards him by the insertion of the libel of which he had just complained; but in the very next paper, that of this day, under the pretence of correcting his statement, had published an *erratum* in the following words: "In our report of Lord Stanhope's speech; in yesterday's paper, the third sentence should be as follows: "The counsel, when pleading at the bar in support of the bill, spoke of the millers as if he considered them little better than rascals." This, Mr. Garrow said, was an additional false and scandalous libel upon him, tending evidently to injure his character, and hold him out to the public in an odious point of view. It was well known, he said, that some of the persons engaged in newspapers were concerned in the opposition to the bill; and one of them in particular, who was the proprietor of *The Morning Chronicle*, had a material interest at stake, which he conceived (whether justly or not was no consideration for him to discuss) would be severely affected if the bill passed into a law. It was natural for him to look to such papers, to see if any attack or animadversion was made on what passed respecting the bill at the bar of that House; but in those papers he saw no such ribaldry or nonsense as that he complained of, no personality or invective. Mr. Garrow said, it was well known that their Lordships, on all occasions, in a manner highly becoming the dignity of so august an assembly, protected witnesses called to their bar, as was the case in every court of justice. He trusted, therefore, that they would also have the goodness to extend the benefit of their protection to counsel also, whose duty it became to argue at their bar in support of the interests of their clients; as without that protection being extended to them, it would be impossible for gentlemen of the profession to which he had the honour to belong to come to their Lordships' bar, and discharge their duty in safety. He had therefore, with great deference and humility, to submit himself to the candour of the House, begging pardon for having intruded much longer than he intended; and to hope, not only on account of his own individual feelings, but on much higher ground, viz. for the preservation of the privileges of their Lordships as a House of Parliament, that they would take him under their protection.

The LORD CHANCELLOR moved that the counsel do withdraw.

His Lordship then said, it was undoubtedly as the learned counsel had stated, that every court of justice in Westminster Hall, and elsewhere, did consider the counsel who pleaded before them as under their protection; and if a similar freedom had been taken with any gentleman at the bar for having discharged his professional duty in

any of those courts, it would have been considered as a high contempt of court, and have been severely punished. His Lordship said, he had the pleasure to have been acquainted with Mr. Garrow for many years, and knew him to be not only a man of great professional talents, of sound judgment, and acute discernment, but of great candour and liberality. He never knew him to obtrude beyond the strict line of his duty, or to press upon a witness indiscreetly and harshly; but, on the contrary, he had himself witnessed his forbearance, on motives of consideration and humanity, in cases where men of less candour might have pressed their examination of a witness in such a manner as to occasion a good deal of distress and pain to his feelings. In the present instance, his Lordship said, he had not a moment's hesitation in declaring that Mr. Garrow was entitled to what he had requested, viz. to be taken under the protection of the House, and therefore he should move, "That when the House should be resumed, the chairman do report to the House a statement of the complaint made by the gentleman at the bar."

Earl STANHOPE said, he not only believed himself that he had not used the expressions imputed to him in the printed paper, but had been assured by several noble members of the House who had heard him deliver his argument, as well as by several gentlemen who were not Members, but who also heard him, that he had not used any such expressions. Indeed the writer's having inserted an *erratum* in order to correct his first statement, implied a consciousness that he had misconceived his expressions.

The motion, "That the chairman do report the complaint to the House when it shall be resumed," was agreed to.

Mr. Jackson then proceeded to support the petition of the bakers; contending, that they would not only be materially injured in their property and business, but exposed to utter ruin, if the clause authorising the company to manufacture 120,000 sacks of wheat in every year, and make weekly any quantity of flour and meal into bread not exceeding two hundred sacks, passed as it stood in the bill.

Mr. Garrow occasionally interrupted his learned friend; and, when *Mr. Jackson* began to mention the quality of the bread made by the Union Mills at Birmingham, *Mr. Garrow* appealed to the Committee whether they had any the slightest connection with an argument in that stage of the bill, upon its clauses.

The LORD CHANCELLOR and the Earl of LIVERPOOL concurred with *Mr. Garrow*, and considered it as irrelative.

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Lord HOBART, on the contrary, observed, that great stress had been laid in debating the principle of the bill on the bread made by the Union Mills at Birmingham ; it was, therefore, perfectly correct in the learned counsel for the bakers, to desire to shew the Committee that the bread made by the Birmingham Mills was such as would not find sale, or gratify the taste of the metropolis.

Lord Hobart was supported in his opinion by the Earls of Westmorland and Stanhope.

The LORD CHANCELLOR moved a question, " That the counsel should be allowed to give evidence as to the quality of the bread made by the Union Mills at Birmingham."

As this question was considered to have been moved by the noble and learned Lord with an intention on the part of the supporters of the bill to negative it, it was strenuously opposed by Lord HOBART, Lord WESTMORLAND, Lord STANHOPE, and Lord ROMNEY.

At length the Committee divided, when Earl Stanhope and the Earl of Liverpool were the tellers, who could not agree as to their report of the numbers ; Lord Liverpool contending that the numbers were :—Contents, 11 ; Non contents, 14. But Lord Stanhope observing, that as the Bishop of Lincoln had not his lawn sleeves on, he ought not to be counted, and therefore his report of the numbers were :—Contents, 11 ; Non-contents, 13.

A debate upon this subject was maintained with some earnestness.

The LORD CHANCELLOR declared, that, in his opinion, a bishop might vote either in his lawn sleeves, or in his robes ; and in proof of it, his Lordship said he had more than once seen Bishops vote in a Committee of Privileges without their lawn sleeves.

The Duke of CLARENCE said, certainly it made no difference as to the division ; because, without counting the Bishop of Lincoln, the question was negatived by a majority ; but if there was any doubt, that doubt ought to be settled.

Lord HOBART, Lord STANHOPE, Lord GUILFORD, and Lord WESTMORLAND, concurred in his opinion ; and the latter noble Lord having appealed to the Bishop, whether, in candour, he had not better not be counted ?

The BISHOP rose to reply : but Earl STANHOPE declared that if the right reverend Prelate was incompetent to vote, he was incompetent to speak, and moved, " That the question respecting the right of a Bishop to vote without having his lawn sleeves on, be

referred to a Committee of Privileges ; observing, that they could not proceed in the Committee any farther till the point was settled.

The LORD CHANCELLOR moved "that strangers do withdraw ;" and after they had been out about a quarter of an hour, the doors were again opened, and it was understood below the bar, that the motion for referring the question respecting a Bishop's right to vote was referred to a Committee of Privileges on Monday next.

Mr. Jackson then examined *Mr. Andrew Wright* the master of the Bakers' Company, and *Mr. Loveland*, as to the effect they thought likely to result to their interests from the clause authorising and empowering the Flour Company to make two hundred sacks of flour and meal into bread weekly. They answered, that it would materially affect their interests, as the company could clearly afford to undersell them in the standard wheaten bread, which, as the law now stood, they were not allowed to make. *Mr. Jackson* having finished his argument,

Mr. Adam appeared as counsel for the merchants of London, importers of foreign corn. He begged leave to state, that as the House had not made an order to hear the petitioners until the night before, the witnesses whom it was his instructions to call to their Lordships bar were not apprised in sufficient time to be present this day. He submitted to their Lordships, whether, under the circumstance of the very short notice which had been allowed the petitioners, they would indulge him till next day ; or whether he should proceed forthwith.

The Earl of LIVERPOOL said, that he could not possibly agree in postponing the matter.

The Duke of CLARENCE begged to explain to the House the peculiar circumstance of this petition. The merchants had applied to him to present the petition, which accordingly he had done on Monday last ; but he had not adverted to that part of the prayer which related to their being heard by counsel and witnesses at the bar ; and an order was made only for the petition to lie on the table. It was not till last night that the mistake was discovered, when the order for their attendance was put on the journals. He begged, therefore, to take the whole blame upon himself, and hoped that the petitioners would not suffer on account of his error. His Royal Highness concluded with moving, "That the chairman do leave the chair."

The LORD CHANCELLOR begged to do justice to the illustrious person who had done the petitioners the honour to present

their petition. It was their fault in not informing his Royal Highness at the time, of the prayer of the petition ; and he had no hesitation in saying, that it was a trick to entrap the House into delay.

The Earl of GUILFORD said, that the expression made use of by the noble and learned Lord was not quite consistent with the terms usually applied to proceedings in that House ; and really after the very liberal and handsome manner in which an illustrious person had explained the circumstance, he did not expect to hear that the petitioners against a bill which was to affect their property, if not to ruin it, and which had passed through many of its stages in a manner which might entitle him to throw back the same term that had been used on the other side, were to be treated with this severity. It was a bill in his mind of such serious and grave importance, that he knew not how their Lordships could, consistently with the respect which they owed to the country, proceed in it without hearing the evidence to be offered by the merchants of London. Their petition stated, that if this bill should pass into a law with certain clauses which now stood in it, they could not venture to import corn, however urgent the necessity—and that foreign merchants would be equally afraid to consign corn to the London market. Were these trifling considerations ? Was the adjournment for a single day a matter of such importance as to deprive the House of this information ? Did the House in their wisdom conceive that they knew more about this matter than the merchants whose business it was, and to whom it was acknowledged this country owed the greatest obligations ? He called on their Lordships to pause ; and conjured them to reflect in time what might be the consequences of all this precipitancy.

Lord WESTMORLAND joined with the Earl in pressing on their Lordships' consideration the decorum of proceeding with due and just deliberation on a subject where property to the amount of millions was at stake ; and he begged them to recollect what was the precise time of the year when this bill was brought into Parliament. If he could bring himself to use the same sort of language which had been thrown out, he might perhaps state certain irregularities in the progress of this bill, which might entitle him to throw back the aspersions from whence it came. But he would content himself with saying that the bill had passed with only the swinging majority of *one* on the numbers present ; and he would take the liberty to say, that though it was competent to the House by its rules to call for proxies, yet on a bill of this nature, to vote away the property of individuals by proxy, (that is, by absent persons, who had not heard one word of the evidence, and who therefore

could not be supposed to understand the case,) it was not quite consistent with decorum to exercise the privilege. It would go forth to the country as a most extraordinary proceeding, if they should hurry this measure through without hearing the witnesses of the merchants; and surely if noble Lords persisted, he must retort the charge which they had thrown out.

The Earl of LIVERPOOL said, he should certainly persevere in opposing all farther delay, and he must submit to whatever censure the noble Lord should think proper to throw on him.

Earl STANHOPE said, from his own knowledge, that one merchant importer, capable of giving to the House essential information on the subject, and who had attended for the purpose of being called, understanding he was not to be so, had left town for Liverpool. He was convinced that this was the most important part of the whole measure. We owed to the merchant importers that we had not this year been starved. Past experience had shewn, that if the task of importation was again to be taken up by government, or by any body of men connected with government, most serious calamity might be apprehended. He had no doubt but that they had most essential evidence to produce.

Lord HOBART said, that notwithstanding any censure which might be applied to him or others by a noble and learned Lord, he must insist upon it that the effects of this bill were mischievous. If once passed, it could not be repealed for ten years without a breach of parliamentary faith; on this account he begged the House to pause, and thought it would act wisely to postpone the farther consideration of the measure until the next session. This would cause a delay of but a few months, which could not materially injure those who were interested in the passing of the bill, whilst it would afford time to the petitioners against it to collect their evidence, and to the House and the Public maturely to weigh the propriety of the measure.

The House then divided on the motion that the Chairman do leave the chair—Noes, 13; Ayes, 9. Majority 4.

Counsel were then called in, and Mr. Adam was called upon to proceed.

Mr. Adam then set forth the case of the merchant importers, and shewed argument, how this bill, by a single clause in it, which left the new company free to lay up wheat, and bring it out again to sell manufactured, while they were protected from all loss beyond the amount of their capital, would entirely deprive the nation of all the benefit of the corn laws. While such a power was erected, no

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other person would hazard his fortune ; and the whole would come into the hands of this company. By being called upon to go on this night, he had not the means of shewing to their Lordships all the influence which this would have in deterring other merchants from exerting themselves to procure corn in a moment of scarcity. He must confine himself to the evidence of Mr. Claude Scott and Mr. Kingsford, already on the table. He contended that if the existing laws had been found insufficient, or that the system and the ratio at which wheat was made importable were wrong, it would be wise and becoming in the Legislature to repeal or alter them ; but it surely was not wise nor prudent to do them away by a fide wind, which this bill would effectually do. It would take from the merchant all confidence, all security, all rule in his dealings ; and the fatal experience they had had in 1796, taught them how to estimate the danger of an equivocal dependence.

Mr. Garrow then was heard in answer both to Mr. Adam and Mr. Jackson, and in observation on the evidence adduced in support of the Bakers' petition. He said, that surely if the merchants of London were alarmed, they might at any hour have got evidence without asking for delay ; but the truth was, he believed, that there was nothing tremendous in the power which the clause referred to by his learned friend gave to the new company. They were to be permitted to manufacture 120,000 sacks of flour, but not compelled ; and therefore they might store up wheat, and might even sell it again unmanufactured. This was a possible case, but was it at all likely ? Their object was to manufacture, not to be dealers in wheat ; but undoubtedly they might have occasion, at times, to dispose of it in its raw state. They must have the power to get rid of it if it should become musty on their hands ; but he saw no terror to the corn merchants, or to the country, in the powers with which they were to be invested. He then observed on the evidence adduced by the bakers with regard to brown bread ; and said that the permission given to the company to bake it, could not possibly affect them who did not bake bread of that description.

Counsel on both sides having withdrawn,

Lord STANHOPE observed, that as it was the custom of the House to have the evidence given at their bar printed, and as part of this evidence had been printed, he should move to have the remainder. This he thought could be done by Monday next ; and as the Bishop's vote would be then decided, they might proceed without any farther delay.

Lord LIVERPOOL said, that such a delay would be fatal to

the bill for the present session ; nor was it by any means the custom of that House to have all the evidence given at the bar printed.

The Duke of CLARENCE was of opinion, that the evidence might be printed by to-morrow ; and considered that as no unreasonable delay.

After a few more words from Lord STANHOPE and the CHANCELLOR, the House divided on Lord Stanhope's motion, when there appeared—Contents, 6 ; Non contents, 13.

Their Lordships then proceeded with the bill.

Lord WESTMORLAND proposed an amendment, the purport of which was, to empower His Majesty to incorporate this company by charter, rather than making it an act of the Legislature ; but this was negatived.

On the name of Robert Biddulph, Esq. being read, as one of the subscribers,

Lord STANHOPE moved, that it be expunged, upon the ground of Mr. Biddulph's having denied his having any concern in it.

On this the House divided, when the numbers were again,—Contents, 6 ; Non contents, 13.

The bill then passed the Committee, was reported, and ordered to be read a third time to-morrow.

The Duke of CLARENCE presented another petition against the principle of the bill, the parties praying to be heard by their counsel : but which his Royal Highness intimated, since the bill had gone thus far, he should leave with their Lordships to dispose of as they should think proper.

The petition was ordered to lie on the table.

Ordered, That the special report made from the Committee, touching a complaint made by Mr. Garrow at the bar, of certain paragraphs in *The Times* of the 22d and 23d instant, containing a false, scandalous, and infamous libel against him, be taken into consideration to-morrow.

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Heads of Mr. Secretary DUNDAS'S Speech in the House of Commons, on the FINANCES of the EAST-INDIA COMPANY, 25th March 1800.

[More accurately stated than in Vol. XI. p. 114, &c.]

WHEN the Finances of the East-India Company were last submitted to the consideration of Parliament, it was stated, that from a disappointment in the receipt of the documents from India, the directions of the act of the 33d could not possibly be complied with, and that the accounts then before the House were moved for in order that regularity might be preserved. The prospect was at the same time held forth, that the accounts of the subsequent year would be brought forward at the prescribed period. The occasion of the delay which again unfortunately occurred, having been explained by the Court of Directors, it only remains for me to express my regret that the established order of investigation of this truly important branch of the British interests should have suffered interruption; although I am fully aware that, during a period of warfare, the contingencies to which the dispatch or arrival of shipping must necessarily be exposed, will ever render it difficult, if not impossible, to calculate with any degree of certainty on the receipt of the books of accounts from India. It is, notwithstanding the disappointments now noticed, very satisfactory to remark, that the attention of the governments abroad to the directions sent out on the subject of finance has been very conspicuous; and the particular orders issued by them to every department in this branch of the service, warrant the expectation of a continuation, not only of that precision and accuracy which I have, upon different occasions, found reason to commend, but also of every possible exertion to insure the receipt, in due time, of the materials to enable the Court of Directors to furnish the annual statements required of them.

From what has been observed, the Committee are prepared for the information, that the statements now before them are those which should have been presented in May last. It might be urged, as I took occasion to remark when I last addressed the Committee, in circumstances nearly similar, that a prospect exists that the accounts of the next year will, at a period not very distant, be brought forward, when those of the two years might be considered at the same time: but the disappointments which have happened give additional weight to the reason then adduced for moving for the accounts. This reason has already been stated; and as it now applies with equal, if not superior force, the necessity of bringing be-

fore Parliament the accounts in the present instance appeared indispensable. They exhibit the situation of the finances of the East-India Company abroad for the year 1797-8, and at home for the year 1798-9; and being drawn up in the accustomed form, I have only to add, that in order to place them in the most connected and distinct point of view, I shall proceed to digest and arrange them in exactly the same order as on former occasions—taking the revenues and charges of each Presidency respectively—shewing average of the revenues for the three past years, compared with the average last drawn—comparing the actual accounts with the estimates—and stating the expectations of the next year. The whole will then be combined in general results, both actual and estimated, that the surplus from the territorial revenues, in either instance, after payment of the charges, may be discovered. The effect of the interest on the debts will next be shewn, and the amount of the produce from the sales of imports, and from certificates on the Court of Directors. The remaining total will be the amount deemed applicable, in this view, to the purchase of investments. The advances for commercial purposes, and the cargoes actually shipped, will then be stated; and the last point in the Indian accounts to be noticed, will be the debts and assets at the conclusion of the official year, contrasted with those of the preceding one. A detailed investigation of these points being accomplished, the attention of the Committee will be required to the home accounts, actual and estimated; likewise, the debts and assets. The last object to be considered, as immediately connected with the accounts both at home and abroad, is the general effect produced on the concern at large, by the receipt and expenditure, in both instances, during the year.

During the detail of the examination of the accounts, explanations will be given, that the Committee may receive every possible information of the causes of the several variations; and such further remarks will be offered as appear to be suggested from the view of the concern taken generally. The observations upon the situation of the Company at the present truly memorable period, and upon the future prospects, whether of a commercial, financial or political nature, will be rather in abstract; as it is intended, when the accounts next in order of date are laid before Parliament, to take up the whole subject in a more comprehensive manner.

BENGAL.

The revenues and charges of the several Presidencies in India having been mentioned as the first object of investigation, the ac-

counts of the Presidency of Bengal, numbered 1, 2, and 3, will, in course, primarily claim the attention of the Committee.

The three first columns of No. 1, contain the revenues in the years 1795-6, 1796-7, and 1797-8, the average of which amounts to 5,726,947*l.* and is less than the average 1794-5 to 1796-7 by 51,730*l.* The difference is chiefly owing to the revenues of the year 1794-5 (the first period of the average drawn last year) having been uncommonly productive; the collections of the land revenues, in consequence of the recovery of arrears, having considerably exceeded those of any subsequent year; and the receipt from the sale of opium being at the amount it yielded before the trade experienced the reverse, as formerly stated to the Committee.

It has not been usual to shew an average of charges, for reasons repeatedly explained. As those reasons are found still to apply, the account No. 3, being the actual amount of the revenues and charges of the year 1797-8, compared with the estimate, will next come under consideration. The revenues estimated to amount to 5,743,847*l.* actually amounted to 5,782,741*l.* being more than estimated by 38,894*l.* This is the net excess on the whole of the revenues. On reference to the account it will be discovered, that notwithstanding the actual receipts have on the whole exceeded the estimated, variations appear in every item; and that the general excess was 167,797*l.* and the deficiency 128,903*l.*

The particular heads under which the estimate has been exceeded, to an amount requiring notice, are as follow, *viz.*

Mint Duties, 3,426*l.* from an increased coinage on account of individuals, and from a profit on the coinage of copper at the Presidency.

Oude Subsidy, 88,323*l.* As the late Vizier (whose death in 1797 was mentioned in the last address to the Committee) had made an addition to his subsidy in the March preceding, the estimate was calculated on the expectation of its being paid, and that the balance which had accrued on his former engagement would be likewise liquidated. The Committee are prepared, by documents already before the House, for the information of the further changes in the Government of Oude, which took place in January 1798; but as this will be more particularly explained hereafter, it is only requisite now to state, that the excess arises entirely from an extra donation by the present Vizier; otherwise the sum reckoned upon in the estimate would not have been realized; the deficiency, however, in that case, would have been little more than three lacs;

and it is satisfactory to remark, that every prospect exists of the arrear being fully discharged.

Judicial Department, Fees, Fines, &c. 8,522*l.* These articles must ever be liable to fluctuation, depending, for the most part, on the number of suits in the Courts. The major part of the present excess has arisen from the arrears of police taxes, and the rent of resumed Tannadarce lands, not included in the estimate.

*Sale of Opium, 64,043*l.** The prospect of the revival of this article was held out when the accounts of the last year were under consideration. Notwithstanding the present excess, the opium trade is far from having reached its former amount. The Government have directed their particular attention to its recovery, and have adopted every measure likely to accomplish it; but no very sanguine hopes of success may be entertained, till the causes which produced the stagnation are removed.

The deficiency in the expected receipts has appeared under the following heads:

*Benares Revenue, 14,516*l.** Notwithstanding the apparent deficiency, the prosperity of this district has continued without abatement: the expectation from the lands has been fully realized. The produce from the customs, indeed, has not been so great as estimated; it might probably have been over-rated, from too sanguine a calculation of the advantage hoped from a recent change in the management: but the great portion of the difference is proved to have arisen from an error in estimating the demand, without deducting the established remissions.

*Land Revenues, 61,631*l.** A deficiency in the collection of the land revenues appeared in the statements last presented, to the amount of upwards of eight lacs of rupees. In the estimate of the present year, the receipt was calculated at an amount exceeding the actual of the preceding in only the sum of four lacs. As ample allowance was left for any probable defalcation, there was every reason to expect that at least it would have been realized. The amount reckoned upon as balances has been exceeded, and upwards of three lacs received from a variety of contingent articles, never included either in the jumma or the estimate. The difference on Syer and Abkarree, or tax on spirituous liquors, though naturally uncertain in their produce, was trivial. The disappointment is chiefly on the proper demand of the year; and this would hardly require notice, from the impossibility of an extensive rental being received exactly within the official year, if provision had not been made for that circumstance in the estimate. The greatest want of punctuality has been experienced in some of the largest zemindaries.

Measures are, however, in contemplation, to give more full effect to the regulations for the recovery of rents; and it appears by subsequent accounts, that a large amount of the balances of this year was received before the end of the July following.

Sale of Salt, 5,475l. The deficiency is small when the total sale is considered; but as the sales of salt have, for so many years, uniformly exceeded the estimate, and as the estimate, in the present case, was at the same amount as formerly, an explanation seems requisite. The defalcation was in part produced by impediments to the manufacture in Bengal in consequence of most unfavourable weather, and in part by the non-fulfilment of the contract for coast salt.

Stamp Duties, 47,280l. The Committee were informed last year, that this is entirely a new article of revenue, and that it was substituted in lieu of the police tax, which, though an increasing resource, was abolished, as the collection was not only attended with difficulty, but found oppressive. The estimate was framed on a calculation of the probable produce, supposed to be accurate; but as more time was consumed in preparing the presses, and making the numerous arrangements, than expected, the documents on which the stamps were principally to be used, as the bills, deeds, &c. in the judicial courts, were filed before they possibly could be ready. The expectation appears nevertheless to have been over-rated; but as a revision of the plan has taken place, the prospect may be indulged, that in process of time the original intention will be answered.

The revenues actually received in the year 1797-8, have been stated to exceed the estimate in near four lacs of rupees. It is also to be remarked, that they exceeded the receipts, in either of the preceding years, in upwards of eight lacs. On the other hand, the charges will be found to exhibit a very different view. They were estimated to amount to 3,893,991l.; the actual amount for the year was 4,031,660l. being more than estimated by 137,669l.

When the estimate for this Presidency was brought before the Committee last year, doubts were stated as to the realization of the net revenue. The foundation of those doubts was not so much from an apprehension of the failure of the resources, as of an increase of the outgoings, in consequence of the peculiar situation of affairs in India. The result has established the propriety of the remarks then made; and it appears, that the gross excess of charge amounted to 258,662l. and the deficiency was 120,953l. making the net excess as before stated.

The heads of charge in which the estimate has been exceeded, are as follow, viz.

Mint Duties, in a small amount.

Post-Office Charges, 1,241*l.* from an increased expence of dawk-bearers, &c. in consequence of transactions in the upper provinces.

Charges of Benares Residency, 3,701*l.* from the payment of pensions and lofs on Batta, not stated in the estimate.

Charges of the Resident's Office at Lucknow, 9,436*l.* The charges adverted to in the explanations of the receipt for subsidy, produced a variety of contingent expences, which could not be foreseen at the time of forming the estimate.

Other Charges of the Civil Department, 35,644*l.* These, in addition to the establishments, include contingencies of every description, and a number of charges, though fixed in their nature, variable in their amount. In these cases, it is scarcely possible to form an estimate of the probable expenditure. From the mode of stating the arrears, by which the adjustment of this part of the account has been made, it is not practicable to explain, exactly, the cause of the excess. Some part of it appears to have been occasioned by extraordinary expences attending temporary embassies, particularly that to Ava, by additional Durbar charges, also by a greater charge incurred on account of the Residency at Poonah, in consequence of the newly-appointed Resident being prevented proceeding thither by the setting in of the rains. Other causes might likewise be mentioned, which it would be too tedious to detail.

Judicial Charges, 17,216*l.* The same difficulty occurs as in the preceding article. It is, however, to be remarked, that in this department is included a number of contingencies which cannot be estimated with any certainty.

Military Charges, 152,620*l.* The estimate appeared to be calculated at an amount which might have been expected to embrace every probable contingency of the year, as it is provided for an additional force in Oude, also for the expence of intended expeditions; but from a course of events, absolutely impossible to be foreseen, it became requisite to make a further increase in the first instance, by which several regiments were placed on double batta. From that circumstance, and the unexpected movements of the army, a considerable expence was incurred: the expence also of expeditions was much greater. Another cause of the excess is to be found in the augmentation of the native infantry, both in the strength, and by the raising two entire new regiments.

Customs, Charges of Collections, 1,171*l.* This arises, in part, from an addition to the establishment.

Opium, Advances and Charges, 31,634*l.* This expence has hitherto depended on the quantity delivered under the contract,

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which may account, in some measure, for the excess : but a part has been occasioned by the preparations for the change in the system of management.

The last head under which an excess is to be noticed is the *Stamp-Office Charges*, to the amount of 5,845*l.* The expenditure, in this instance, is treble the sum estimated. It being the first year of the establishment of the office, the difficulty of calculating the expence may be, in some degree, owing to the novelty of the charge ; but the principal cause of the excess is assigned to have arisen from the purchase of a much larger quantity of paper than estimated, of which a very considerable portion remains in store, so that a part only of the expence may properly be charged to this year.

The heads under which the charges have fallen short of the estimate are but few ; and, of those, by far the greatest amount is to be attributed rather to the deferring of the expence, than to the want of precision in calculating the estimate. They are as follows, viz.

Marine Charges, 6,678*l.* from a smaller expence attending the pilot schooners and moorings ; from the charge of vessels to cruise off the Andamans, though estimated, not incurred ; and from a smaller advance for building vessels.

Buildings and Fortifications, 43,076*l.* This difference is chiefly occasioned by the erection of extensive cavalry cantonments being deferred till a more suitable spot than originally intended shall be fixed upon ; and a small part arises from a less expence being incurred for buildings in the judicial department.

Revenue Charges, 23,053*l.* This difference arises on a great number of items : near 70,000 rupees in pensions, charged in the estimate, but transferred to Benares in the actual account. The expence of Poolbundee was considerably less ; and in several of the districts, the general expence was below the amount estimated.

Salt Advances and Charges, being less than the estimate in the sum of 48,145*l.* is the last article of explanation. The smaller provision of salt, in consequence of the unfavourable season, and the failure in the contract for coast salt, as noticed under the revenues, have been the cause of the diminution of the advances.

The net excess of the charges has been stated to amount to 137,669*l.* ; from which deduct the net excess of revenue, as stated likewise, 38,893*l.* ;—and the net deficiency in the actual net revenue, compared with the estimate, will then appear to be 98,775*l.* ;—and the total net revenue of the Presidency of Bengal, in the year 1797-8, is found to amount to 1,751,081*l.* which, in conse-

quence of the increase of the expences during the year, is less than the net revenue of the year preceding, by 89,882*l*.

ESTIMATES, 1798-9.

The prospects of the year 1798-9 are much more flattering than the preceding year.

The revenues are estimated, in the last column of No. 1, to amount to 6,259,600*l*.; and the charges, in the last column of the statement No. 2, to 3,952,847*l*.; making the estimated net revenue 2,306,753*l*. The net difference in the amount of the resources, on a comparison with those of last year, is no less than 476,859*l*.; and the charges are, on the whole, estimated at a less amount by 78,812*l*. It nevertheless appears, that in a few particulars the estimate states a more unfavourable view in both instances; some articles of revenue being expected to be below, and some heads of charge to be above, the last year; but in neither case to a great amount.

The gross sum of the improved revenue is 535,239*l*. An increase of the *Post-office collections* is expected, in consequence of regulations lately made in that department. The collection of the *land revenues* is taken at 54,288*l*. more. This cannot be termed a very sanguine calculation, when the defalcation of the last, and the year preceding, is considered. It is to be hoped, that in this instance the estimate will be more than realized. A larger produce from the sale of *salt* is stated, amounting to 63,477*l*. It likewise exceeds former estimates upwards of five lacs. The advices favour the prospect, that the expectation in this regard will not be disappointed. An increase of 18,280*l*. is reckoned upon from the *stamp duties*. In the last year the institution of them took place. When the first calculation, at nearly six lacs, is considered, it may be hoped that the present estimate, at half the amount, is not stated too high.

By far the greatest addition is expected from the subsidies, in consequence of new treaties with the Nabob of Oude and the Nizam. A more particular explanation of these engagements will be offered hereafter: at present, it may suffice to remark, that the *Oude subsidy* is calculated, in this year, to amount to 969,197*l*. which is more than received last year 287,070*l*. So large a receipt is not to be looked for in future years; as this sum includes not only the current subsidy settled in February 1798, but likewise arrears, and the expence of repairing some forts, which the present Vizier has agreed to defray. The *subsidy* from the *Nizam*, under the former treaty, is included in the Madras statements. The sum here stated, amounting to 104,400*l*. is the part, under the treaty

of September 1798, which fell due from that time to the end of the official year.

The only article requiring notice, from which a less receipt is expected, is the *opium*: the difference amounts to 52,443*l.* This is the first year of the change of the system, from a contract to the management by agency. The reduction of the quantity is one of the measures resorted to for restoring the trade; of course a less produce is estimated.

The net diminution of the charges, compared with the last year, has been stated. On an examination of the accounts, it appears that the aggregate of those items, on which an increase is expected, amounts to 93,726*l.*; and the total of those, on which a less expenditure is looked for, is 172,539*l.* Those, in the first instance, to any considerable amount, are the *buildings and fortifications*, 64,304*l.* of which the most considerable part is in the repairing and strengthening the forts in the Vizier's dominions. The advances in the *salt department* are calculated at 24,945*l.* more, on account of the additional quantity likely to be provided for in the year.

The diminution is in the great majority of the items. The charges in the *civil department* are all expected to be less: the *Post-office*, from the probability of a less expence in the extraordinaries: at *Lucknow*, from the Residency being exempted from the contingencies of the last year. As to the remaining *civil charges*, on which the diminution is the greatest, the remark upon the actual accounts must, of necessity, suffice for an explanation. This may likewise be found to apply with regard to the charges of the *judicial department*, which appear below the last year. The *military expences* are estimated at a less amount by 32,792*l.* On the out-turn in this respect, it is impossible to form a conjecture, although the estimate was calculated with every attention to the circumstances then existing, or likely to occur. The greatest difference is expected in the *opium*, from the determination to restrict the quantity manufactured till the demand of the market can be more completely ascertained. The expence of the *Stamp-office* is below the last year. The great expence (beyond the first estimate) attending the institution, has been noticed, and that it was not likely to occur in future; it is therefore hoped that the amount now inserted will not be exceeded.

The result of the comparison of the revenues and charges, by the actual accounts, in the year 1797-8, and as estimated for the year 1798-9, in the net revenue in the latter instance, is expected to exceed that in the former by 555,672*l.*; with regard to which

it is to be observed, that although there exists, at present, no ground for doubt of the realization of the estimated resources, and although the charges in general are stated at an amount which does not appear objectionable, it may be expected that the important transactions at the close of the year, and the extraordinary and unparalleled exertions of the Government, will have occasioned an increase of the military expences.

MADRAS.

The revenues and charges of the Presidency of Madras come next under consideration. To pursue the examination of them in like manner with those of Bengal, it will be necessary first, to refer to the account No. 4, the three first columns of which shew the receipt of revenue in the years 1795-6, 1796-7, and 1797-8. In former years, the peculiar situation of a part of the resources of this Presidency, rendered it necessary to make some adjustments before an average could properly be drawn; on the present occasion, as in the last year, it seems only requisite to exclude the revenues of Ceylon and the Dutch settlements, as not properly appertaining to the fixed annual receipt. In this view, the average receipt of the three years above named amounts to 1,824,753*l.* which is less than the average calculated on the accounts one year back by 21,321*l.*

Omitting an average of charges, for reasons already adverted to under Bengal, the next account which calls the attention of the Committee is No. 6. In that is shewn a comparison of the revenues and charges of the year 1797-8, according to the estimate, and by the actual accounts. The revenues were estimated to produce 2,334,675*l.*;—their actual amount was 1,938,950*l.*; making a deficiency, in the actual receipt, of 395,725*l.*

The heads of revenue are few, in which the actual receipts have, in this year, exceeded the estimated, amounting in the whole to only 27,643*l.* Of this, the sum of 8,156*l.* is in the *subsidy* from the Nabob of Arcot, and arises from the collections in the Poligar countries (taken in part payment) being more productive than expected. This is not to be considered as an addition to the subsidy, but as a recovery of arrears. The *revenues* of Ceylon, and the *Post-office collections*, in a small amount, form the remaining part of the surplus receipt. The total of the deficiencies was 423,368*l.* The detail is as follows, *viz.*

Land and Sea Customs, 2,151*l.* The trade on which the produce of the customs depends, having in this year been generally less than in the last, may account for the difference.

Subsidy from the Rajah of Tanjore, 166,958l. When the estimate was under consideration last year, a doubt of the realization under this head was stated; as it was a ground of surprise, that, situated as the Tanjore country then was, so large a receipt should be reckoned upon.

The deficiency in the *subsidy* from the *Nizam*, amounting to 47,512l. is under the engagement by the former treaty. From the nature of the connection with his Highness, there is no doubt of its being cleared in the account with him.

The most serious disappointment, in every view, has occurred in the collection of the *land revenues*, to the amount of 191,042l. The collection of the last year was nearly three lacs below the sum estimated; but some satisfaction was derived, from the consideration of its being, on the comparison with former years, very productive. In that instance, it certainly appeared that the estimate was rated too high; but in the present it is to be observed with concern, that a similar excuse cannot be urged in nearly the same extent. A narrow examination into the causes of the defalcation became essentially requisite, and the advices have been attentively looked into; from which it is discovered, that the difference is in the demand of the current year, and that the collections on account of balances, in the general, have been exceeded. The revenues of the Jaghire have been realized; and in the districts of the southward, the deficiencies have been inconsiderable. The great failure has occurred in the northern Circars; where, although the Company's authority is becoming each year more firmly established, the collections are still attended with difficulty, requiring all the energy, ability and diligence of the collectors. The effect of the smallest relaxation is soon visible; and although, in many of the districts, the servants of the Company are highly deserving of credit for their successful and praise-worthy exertions, in some a contrary conduct has produced inconvenience.

The causes assigned for the defalcation are various: super-abundance and low price of grain, in some instances; in others, loss of property by inundations, and the interruption of agriculture, either by the failure of the early, or by the prodigious quantity of the middle and latter rains. It is, however, hoped, from the securities in hand, and the arrangements made, that the ultimate deficiency in the present year's demand will not be to a very considerable amount.

Notwithstanding the produce of the *collections* from the *ceded countries* was below the estimate in 15,352l. it was not far beneath that of the last year, and exceeded considerably that of the year be-

fore. A part is stated to have been occasioned by an alteration in the engagements with some of the renters, and security is obtained for another part.

The probable charges of this Presidency in the year 1797-8, appear to have been calculated with a particular degree of accuracy. They were estimated to amount to 2,482,838*l.*;—their actual amount was 2,515,774*l.*; exceeding the estimate in only the sum of 32,936*l.* Few observations on this small difference are requisite; because, although it is the net excess merely, the variations as to the surplus or the deficiency in the actual charges have not been to any considerable amount. The gross excess was 59,211*l.* and the deficiency 26,275*l.*—arising, in both instances, upon a number of items. The excess in the *civil charges* was 10,349*l.* and arises principally from contingencies, as loss by exchange, &c. not inserted in the estimate. The *military expences* were more than estimated, 16,488*l.* Some of the charges appear to have been less; but the increase of the army, the additional purchase of stores, and disbursements on expeditions, have operated to produce the excess. On the *revenue charges* the excess was 19,932*l.* Some of the expences of this department were less than estimated; but there is difficulty in accounting for it exactly, as a part of the difference arises from the mode of stating the arrears, which are adjusted with the actual accounts of the year. The *charges at Ceylon* and the *Dutch settlements* include the expence of the support and maintenance of prisoners, and a number of contingencies, which necessarily must be uncertain: this explanation may be supposed to account for the excess in this instance, amounting to 12,111*l.*

The items of charge which have not equalled the estimate are the Post-office in a small amount; the charges on the revenues of the ceded countries, in 8,279*l.* from a diminution of the district establishments, a reduction of survey charges, a less expence in the repair of tanks, and the postponement of some other charges; the charges on the assigned revenues of Tanjore, 17,451*l.* in consequence of the estimate having calculated on a disbursement for pensions which has not been incurred, and on a charge of collection more than in the event proved requisite.

The deficiency in the actual revenues was stated to amount to 395,725*l.* Adding the surplus of the actual charges, as shewn above, 32,936*l.* the net surplus of the actual charges will then be found to amount to 428,661*l.* and the actual surplus of the charges of this Presidency, in the year 1797-8, will appear to be 576,823*l.* which exceeds the surplus of the charges of the preceding year by 164,660*l.* partly from the deficiency in the receipts,

and partly from the increase of the military expences, occasioned by the addition to the forces, and other contingencies, in consequence of the war.

ESTIMATES, 1798-9.

The important occurrences which will be brought to the notice of the Committee were partly in view, when the calculations were made of the probable expences of this Presidency for the year 1798-9; from whence it is justly to be expected, that the disbursements must be to an amount almost unprecedented. No diminution of revenue having been apprehended, the receipts have been taken at an amount which, in general, appears to be prescribed by the experience of the year preceding. The particulars both of revenue and charge, will be found in the last columns of the accounts No. 4 and 5.

The revenues are estimated to amount to 2,004,993*l.* and the charges to 2,857,519*l.* by which the expected excess of charge appears to be 852,526*l.* On the comparison it is discovered, that the revenues are estimated to exceed those of the last year, by 66,042*l.* Several variations, nevertheless, appear to a more considerable amount; under some heads, the receipt being expected to be larger; and under others, less. The Tanjore subsidy is stated at something more than the receipt last year, on the supposition that more will be realized from the assumed districts. The subsidy from the Nizam is taken at the full amount payable under the former engagement at this Presidency. The deficient receipt in 1797-8, as explained in the account of that year, may account for the difference. A notandum to the account remarks, that this sum was taken from the Bengal statements. Perhaps an adjustment may hereafter become necessary under this head.

The *Land Revenues* are estimated at five lacs beyond the amount collected last year. In the explanatory remarks on the extraordinary deficiency in that year, it was stated, that securities were in hand for many of the balances; so that a recovery may, with some propriety, be reckoned upon. It does not appear, that the calculations, in general, are beyond what is justly warranted; and it is hoped, from the talents and assiduity of the present collectors, that the result of this year will prove much more favourable than that of the last.

Of the heads of revenue expected to be less than last year, two only require notice. The *subsidy from the Nabob of Arcot*, to the amount of 13,352*l.* in the collections of the assigned Peshcush, which are expected to be less, in consequence of the extra receipt in last year. The difference in the *revenues from Ceylon*, amounting to

173,690*l.* is explained in the account to be supposed to arise from the expectation that the island would not continue under this Presidency the whole year.

The charges, as before remarked, are expected to be very high: those in the *military department* were particularly in contemplation; and it appears that of the sum of 369,662*l.* in which the charges, in the gross, are likely to exceed those of the year 1797-8, near eight lacs and a half are in that department. This, in general, is to be considered as the estimated expence of the preparations for the army taking the field.

The probable increase of other articles of expence arises from different circumstances. That in the *civil charges*, though only taken at 1840*l.* may be reckoned still higher, from the contingencies in the last year's accounts, which do not appear in the estimate. The addition is expected from the Durbar charges, and from the institution of the Recorder's Court. In this year, a greater expence is reckoned upon in the *revenue department*, principally from the measures wisely adopted by the Government for repairing the tanks. On the same account, the charges in the *ceded countries* are likely to be higher; but in this instance, an expence will probably arise, from the necessity of securing the inhabitants from depredators on Tippoo's frontier. The *charges* on the *assigned revenues* of *Tanjore* will experience an increase, from the expence attending the restoration of Serfagee, which is to be noticed in the sequel; also from advances necessary to be made to the inhabitants for repairs and cultivation.

In two instances only is a less expence estimated; *buildings* and *fortifications*, which does not require notice; and at *Ceylon*, the reasons for which may be found in the remarks on the revenues.

The result of this comparison is—the net charge estimated for the year 1798-9, is calculated to exceed the charge of the preceding year in the sum of 275,702*l.* The remark at the conclusion of the examination of the Bengal estimate will most properly apply on this occasion; and it may further be added, that as the scene of the brilliant operations of the late war was immediately on this coast, it must not occasion surprise, if, on receipt of the actual accounts, it should prove that the charges have still reached a greater amount.

BOMBAY.

The revenues and charges of the Presidency of Bombay, as exhibited in the accounts No. 7, 8, and 9, come next under review.

The revenues of the years 1795-6, 1796-7, and 1797-8, are stated in the three first columns of No. 6. On an average, they amounted to 310,574*l.*; which is more than the average, 1794-5 to 1796-7, 8,569*l.* It is proper to remark, that some objection may arise to the comparison of the averages, because the accounts in both periods include subsidies, the payment of which do not appear regular: for example, in 1794-5, the recovery of an arrear from the Mahrattas, amounting to 15,106*l.* is stated; and in 1797-8, the subsidy from the Rajah of Travencore, for the balance of the last year, and for the amount of the current year, making together 53,189*l.* while the intermediate years include nothing but the proper resources of the Company. Diverging, therefore, the averages in both periods, of the receipt for subsidies, it will be found, that the average drawn on the latter, or upon the years now under consideration, is less by 4,124*l.* which is chiefly to be attributed to the short receipt for the Malabar Province in 1797-8, as will be explained upon the examination of the revenues for that year.

Declining, as at the other Presidencies, an average of charges, the comparison of the revenues and charges of 1797-8, as estimated, and according to the actual out-turn, is next to be examined: this is stated in the account, No. 9. The revenues were estimated to amount to 319,100*l.* the actual amount was 338,189*l.*; being more than the estimate 19,089*l.* The whole amount of the receipts of this Presidency is small, compared with the others; but the differences are proportionably greater. The surplus receipts amounted to 51,333*l.* and the deficient to 32,242*l.* In the former, the *customs* amounted to 17,828*l.* The collection was not only more than the estimate, but exceeded, likewise, the last year, which was very productive. The annual increase of this resource is a proof of the increasing commerce on this side of India.

A greater sum than estimated was received from the *Rajah of Travencore*. The excess amounted to 33,502*l.*; and it was observed, when the estimate was considered last year, that more might have been reckoned upon. The present receipt is on the engagement in the permanent treaty, and on the recovery of arrears; and it is to be remarked, that the complete realization appears, from the stipulations being brought to the credit of the Rajah, in his contract account for pepper, &c.

The deficiency in the receipt is principally in the *land revenues*, and the *collections* from the *ceded countries*; the former in a small amount, chiefly from an error in the estimate; and the latter in 25,494*l.* from the effects of the disturbance in Cotiote, of the dis-

puted succession of Cheral, and of the death of the Zamorine. Although the estimate may have been rated too high on account of the productive collections in 1796-7, a hope may be indulged that no eventual loss will accrue, as the difference may be rather considered a delay of payment than otherwise. The charges were estimated to amount to 844,050*l.* and actually amounted to 939,921*l.*; being more than estimated 95,871*l.*

The only charge below the estimate was the *Murine*, in a small amount. A surplus has occurred in every other item: the *civil* in 15,134*l.* which may mostly be attributed to the increase of salary to the members of council, and to the expence of an embassy to Travencore and to Colapore. The excess in the *military charges* was 59,450*l.* part owing to the disturbances in the Malabar Province, and part to a greater expence for stores. The expence of *buildings* was increased, from the necessity of strengthening the defences; and the *revenue charges* in contingencies, and the expence of repairing embankments. A greater expence has been sustained in the *ceded countries*, amounting to 10,187*l.* from the appointment of a Committee for making arrangements in the Malabar Province, the employment of a greater number of servants, and other circumstances, which could not be foreseen at the time of forming the estimate.

The surplus of the receipts, stated to amount to 19,089*l.* deducted from the surplus of the charges, 95,871*l.* the net surplus of the charge is found to be 76,782*l.*; and the surplus of the actual charges of this Presidency is, in the year 1797-8, 601,732*l.* which is more than the surplus charge of the preceding year by 75,843*l.* and is accounted for, principally, in the increased military expences.

ESTIMATES, 1798-9.

The expectations of the Presidency of Bombay, in the year 1798-9, are stated in the last column of the accounts numbered 7 and 8. The revenues are computed to amount to 346,110*l.* and the charges to 996,699*l.* making a surplus in the charges of 650,589*l.*

In the revenues derived under this Presidency, the net difference from those collected in the last year is but small; no more than 7,920*l.* Few observations are necessary. The *collections* from the *ceded countries* are expected to be more from the receipt of sums deferred last year, as explained in the remarks on the actual accounts. On the other hand, the *customs* are expected to be less, on the supposition that the trade may not be to the extent of the year

preceding; and the receipt from the *Travencore subsidy*, from the payment of arrears in that year.

The charges, in the whole, are estimated at five lacs more than those of the year 1797-8. The gross excess is 76,182*l.* Of this, 64,795*l.* is in the *military expences*, chiefly from the necessity of placing the army on a footing to resist any attack which might be made on the coast; and 9,165*l.* in *buildings and fortifications*, from the repairs and additions required for the further security of the possessions.

Those articles of charge which are calculated to be less than the last year, in an amount requiring remark, are in the *marine and revenue* departments. The former, 9,695*l.* principally in the contingencies and the supply of stores; in the latter, 8,077*l.* partly from contingent expences incurred in the last year, not expected in this. In the result, the net charge of this Presidency, estimated for the year 1798-9, exceeds that of the year 1797-8 by 48,857*l.*

As, at the time of framing the estimate, the measures in contemplation at the other Presidencies were not known at Bombay, no calculation was made on that account. From the distinguished part the army of this Presidency took in the subsequent transactions, it may readily be supposed, that a very considerable additional expence has been incurred: indeed, the fact is ascertained by the advices. Other charges have also been greatly increased; but the Committee must be highly gratified by the information, that the collection of the revenues has suffered no diminution.

Having accomplished an explanation in detail, in so far as appeared necessary for the information of the Committee, of every circumstance which has affected, or is likely to affect, the receipt and expenditure of the three Presidencies during the periods under investigation, their attention is further requested to other articles of charge which fall upon the revenues of India. These are the expences of the settlements of

BENCOOLEN, PINANG, &c.

The revenues and charges of Fort Marlbro', the chief Residency of Bencoolen, and the settlements subordinate, are stated in the account, No. 10 (a).

On the average of the three years, 1795-6 to 1797-8, inclusive, the revenues amounted to 5,177*l.* and the charges to 104,707*l.* being a net charge of 99,530*l.* This is 14,749*l.* more than the net charge calculated on the average of the accounts presented last year. The excess of that average beyond the preced-

ing one was stated to arise from expences of buildings. In addition to the effect of that circumstance, which is more particularly felt in the calculation now made, an increase of allowances in the civil department, and an extension of the military force, may be assigned as causes of the present increase.

The net expence of the Residency of Marlbro' in 1797-8, was 108,901*l.* which is more than the average above stated, from the increase of civil and military charges adverted to. As this Residency and the settlement of Pinang are immediate dependencies upon Bengal, and the expences are defrayed by supplies from thence, the actual amount of those supplies has been usually stated with what has been sent to St. Helena. They were estimated to amount to 85,840*l.* and actually amounted, by No. 18 and 19, to 163,299*l.* being more than estimated 77,459*l.* That the actual expence should be almost double the estimated, must excite some surprise, and raise doubts of the accuracy of the calculation in the estimate. It certainly does appear, that sufficient allowance was not made for the probable exigencies of Bencoolen, where almost the whole difference rests; but, on the other hand, the supplies appear to have exceeded the actual demand of the year, probably from the necessity of making up for the deficiency in the year before, and of assisting the provision of the investment: a part, also, may possibly be for the use of the next year.

The supplies estimated for the year 1798-9 are calculated by No. 11, to amount to 117,160*l.* Unless it is considered that a part of the very ample supply to Marlbro' in last year may be intended in aid of the present, the estimate seems under-rated; for, according to the Marlbro' accounts in No. 10, the probable demand for that Residency only is not much under the sum now stated.

GENERAL VIEW.

The general result of the revenues and charges of the several Presidencies in India, in the year 1797-8, is as follows, viz.

Revenues of Bengal by No. 3,	£5,782,741	
Madras	6,	1,938,950
Bombay	9,	338,189
Total Revenues		8,059,880
Charges of Bengal by No. 3,	£4,031,660	
Madras	6,	2,515,774
Bombay,	9,	939,921
Total Charges		7,487,355
Net revenue of the three Presidencies,	£	572,525

Deduct—Supplies from Bengal to Bencoolen, &c. as before stated, per No. 18 and 19,..... 163,299

The remainder 7409,226

is the excess of the revenues above the Civil, Military, &c. charges.

A further charge upon the revenues is the interest on the debts.

The sums paid were,

At Bengal, No. 18,..... £408,810

Madras,... 19,..... 147,458

Bombay,... 20,..... 47,658

The total interest paid on the debts is..... 603,926

and, being more than the revenue stated to be remaining, the difference, amounting to..... £ 194,700

is the net deficiency of the territorial revenues; which deducted from the amount received in India on the sale of import goods, as by No. 15, 582,833

The remainder..... £ 388,133

is the sum ascertained to be applicable, in this view, to the purposes of commerce in the purchase of investments, and the payment of charges of the commercial department.

When this subject was last before the House, the prospect of a most extensive provision of investment was stated. The amount was greatly enhanced by the payment intended for the spices purchased from the captors of Columbo. From the pressure on the finances, consequent upon the situation of affairs in India, a considerable reduction was to be apprehended; the result has, however, been much more favourable than could have been expected.

The actual advances for the investment, including the assistance to China, and for the commercial charges, in the year 1797-8, are as follow, viz.

In Bengal, by No. 18.

Charges of the Board of Trade at the Presidency

and Factories,..... £ 91,794

Advances for the investment, with commission,... 954,055

Purchase of spices at Columbo,..... 264,375

1,310,224

Add, supplies to Canton,..... 191,744

Total, Bengal..... 1,501,968

At Madras, by No. 19.

Charges, allowances, &c. in commercial department,

..... £107,398

Advances for investment, with charges..... 523,506

630,904

Add, remittance to Canton,..... 16,800

Total, Madras,..... 647,704

At Bombay, by No. 20.

Salaries, &c. in the commercial department £267,205
Advances for investment, with charges 16,889

284,094

Add, supply to Canton, 25,720

Total, Bombay 309,814

At Bencoolen, by No. 22, 20,479

Total advances for investment and commercial charges £2,479,965

The amount now pointed out, as the sum applied to commercial purposes in the year 1797-8, although less by 200,000*l.* than expected, is still very considerable when compared with any former year. The supply for the China investment exceeded 230,000*l.* A question naturally arises, by what means so extensive a commerce was maintained and carried on, when the surplus of the revenues, formerly productive to an immense amount, was reduced so low as in the present year, and when, in consequence, the demand of funds upon this account was carried so high as 2,200,000*l.* ? The diminution of the cash and bills in the treasuries, compared with the last year, and the bills drawn on the Court of Directors, contributed largely ; but the great supply has been from loans, which will appear in the addition made to the debts.

The cargoes actually shipped for Europe in 1797-8, with charges not added to the invoices, by No. 22, amounted to 2,583,690*l.* Excluding the supply to China, this sum exceeds the advances, 338,000*l.* but as the spices purchased at Columbo, paid for in this year, were shipped for Europe in the last, the excess will be 602,000*l.* This difference was supplied from the stock of goods in warehouse at the beginning of the year, the immense quantity of which was adverted to in the last investigation.

The general result of the estimates of the year 1798-9 is next to be stated.

Revenues of Bengal, by No. 1,	£6,259,600	
Madras, 4,	2,004,993	
Bombay, 7,	346,110	
Total revenues		8,610,703

Charges of Bengal, No. 2,	£3,952,847	
Madras, 4,	2,857,519	
Bombay, 8,	996,699	
Total charges,		7,807,065

Net estimated revenue of the three Presidencies	803,638
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Deduct, supplies from Bengal to Bencoolen, &c. by No. 11,	117,160
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The remainder is	686,478
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The interest payable on the debts, by No. 16, is..... £758,135

The difference..... 71,657

is the estimated deficiency of the revenues; and, being deducted from the amount to be received on sale of imports, by No. 15,.....

680,675

The remainder,..... 559,018

is the amount estimated to be forthcoming for the purchase of investments, payment of commercial charges, &c.

In this year, the provision of investment is calculated upon a more confined scale than the last, in consequence of the demand of funds for the purposes already mentioned. The advances and charges, including the supply to China, are stated at 1,800,000*l.*; but whether the trade will have been carried to the full extent of this sum, or not, cannot be well determined, till the accounts of the year are received.

DEBTS IN INDIA.

The state of the debts contracted by the several Governments in India come next under consideration. From the observations already made on the receipt and expenditure, and on the advances for the investments, a very considerable increase of debt is to be expected. On a comparison with last year, the increase is as follows, viz.

In April 1797, the debts amounted to..... £9,294,539

In April 1798, by No. 16, their amount was..... 11,032,645

Being an increase of 1,728,106

The subscription to the remittance plan, under the orders of June 1793, was, by No. 17, 345,579*l.* which is less, by more than 150,000*l.* than the sum prescribed by the act of Parliament for the liquidation of the Indian debt. The operation of this plan must have been interrupted by the increased demand of funds, and, in consequence, by the more advantageous modes of remittance, and of employment of money on loan.

The debts bearing interest, by the accounts of last year, amounted to 7,479,162*l.* By No. 16 of the present accounts, they were 8,933,648*l.* making an increase of 1,454,486*l.* The amount of interest payable annually was, by last year's accounts, 576,775*l.*; the annual interest by the present account, No. 16, is 758,135*l.*; increase of interest, 181,360*l.* The rate of exchange is calculated as on former occasions.

ASSETS IN INDIA.

The value of the assets in India, consisting of cash, goods, stores, and debts owing to the Company, calculated at the same exchange as the debts, amounted, on the 30th April 1797, to 10,531,145*l*. On the 30th April 1798, by No. 21, it was 9,922,903*l*. The decrease of the value of assets is 608,242*l*.

In two articles only have the assets increased ; the stores, and the debts owing to the Company : the former, in consequence of the war ; and the latter, from the balances of revenue principally. The decrease is in the smaller quantity of import goods, and salt, opium, &c. ; the remains of which must generally depend upon the extent of the sales in the year ; but the great diminution is in the export goods, and the cash and bills, as already noticed.

Adding to the above decrease of assets the increase of debts, 1,738,106*l*. the general state of the affairs in India is, on the comparison with the last year, worse by 2,346,348*l*.

HOME ACCOUNTS.

The investigation of the state of affairs at home, to which the attention of the Committee is now requested, will, I doubt not, afford the highest degree of satisfaction, from exhibiting a signal display of the increasing wealth and improving commerce of the Company. It will be found also, to dissipate any alarm which may have been occasioned from the short amount of the sales of the last year. In that year, from disappointment in the arrival of cargoes, which during war is at times unavoidable, the sales certainly sustained a very considerable check : the very grounds on which the estimates were formed were completely changed ; and the defalcation in the produce, whether on the comparison of the year immediately preceding, or the average of three years, was to a great amount. The cause of this difference being fully ascertained to be merely casual, the estimate for the year 1798-9, now under consideration, was framed on calculations, supposing the arrival of the ships detained in India, likewise those expected in the usual course of the season. Happily, a second disappointment has not occurred ; and the expectations have been more than justified by a result which has been favourable in the extreme.

The aggregate amount of the sales of goods from India and China, including the Company's, the private trade, and the goods sold under the Neutral Property act, by No. 25, was 10,315,256*l*. which exceeded the preceding year, 1797-8, in no less a sum than 4,261,855*l*. The excess on the Company's goods alone was 3,618,244*l*. ; on private trade goods, 425,058*l*. ; and it was re-

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marked on the sale of private trade goods in that year, that it was greater than any former sale. On neutral goods the excess was 218,553*l*.

The sales of the Company's goods were estimated to amount to 6,691,327*l*. and actually amounted to 8,337,066*l*.; being more than the estimate, 1,645,739*l*.

The deficiency of the last year arose from the accidental detention of the goods, as already adverted to. As every probability existed that those goods would arrive in the ensuing year, the estimate was not only framed with due attention to that circumstance, but reckoning also on the receipt of goods beyond the proportion of former years, in consequence of the measures known to have been adopted in India for the extension of the investments. The great excess, however, furnishes the presumption, that the advantages accruing from those measures were under-rated, or that a commendable caution was used, from the knowledge of the interruption which the markets were exposed to from the continuance of the war. A much larger quantity of goods certainly did arrive, and was put up to sale, but not to an amount fully accounting for the immense difference. This, it is satisfactory to observe, is likewise to be attributed to the advanced prices, consequent upon an enlarged actual demand, and in a very great degree for foreign consumption. The sales of tea, indeed, amounted to a sum beyond the experience of any former year, or any calculation which could with propriety be made, at the time of forming the estimate. The only articles in which the estimate was not under-rated, are the Bengal piece goods and the raw silk; the latter in a small sum: but, in both instances, they exceeded the last year in a very considerable amount. The Coast and Surat goods were immensely productive; and every other article of merchandize sold to an amount, and at prices beyond expectation flattering.

The salutary consequences of this highly advantageous event will ultimately be found to have extended to every branch of the Company's concerns, both abroad and at home, as will be more particularly noticed hereafter; the present intention being to point out its immediate effects upon the cash transactions at home. The account, No. 23, shews the receipt and expenditure in the year 1798-9; and it will appear, on reference to the estimate for that year, that variations have occurred, to a considerable amount; but it will, I trust, be admitted, that disappointments similar to those of the preceding year, and events so unexpected and unprecedented as those of the present year, must almost defy accuracy in calculation on estimate. This observation is conceived necessary, to remove

any doubts which might be entertained of an attention to due care in stating the prospects of the Company, in consequence of differences to so large an amount having appeared in two succeeding years between the estimates and the actual accounts.

A cursory view of the account now referred to will lead to the most satisfactory inferences: and still more so, on the comparison with the estimate for the period in question, or with the actual account of the last year. In that year, the unfavourable result at first apprehended was prevented, partly by the help of resources on the credit of the Company, and partly from demands upon the Company being either protracted, or intended expences being deferred. In the present year, the result was likewise expected to be unfavourable to a very large amount; but will be found to have terminated quite otherwise, without incurring any debt on loan, or by the issue of bonds, to an amount worthy of notice.

From what has been observed, the Committee are prepared for the information, that the change is chiefly to be attributed to the receipt on the sale of goods. This receipt, estimated to amount to 5,905,927*l.* actually amounted to 7,764,404*l.* being more than estimated 1,858,477*l.*

The sum left due on the sales of the former year was only 314,600*l.* The amount due from the purchasers at the last sales was 942,528*l.*

The receipts for charges and profit on private trade goods, estimated to amount to 120,000*l.* actually amounted to 137,394*l.*; exceeding the estimate in the sum of 17,394*l.* principally from the larger extent of the sales.

The receipts in the actual accounts, on account of customs and freight on private trade, are never stated in the estimates, being uncertain in their amount, and not forming any resource of the Company. These sums are included in the disbursements on the other side, and are usually adjusted in the examination of those items.

The amount received for the sale of the loyalty loan beyond the sum estimated, is hardly to be noticed, as it merely tended to reduce the assets under that head, though not in a degree with the sum received, on account of the advantageous disposal of it: So that, exclusive of the receipts on account of private goods, of which no estimate is ever made farther than the sum actually due on past sales, the whole of the receipts in the year were more than estimated, 2,017,142*l.*

On the payment side it will be found, that, excluding the private trade, as in the receipts, the expenditure in general has exceeded the estimate to the amount of 75,041*l.* This difference is compara-

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tively small, but may not be taken as a certain criterion of the accuracy of the estimate. In an expenditure so immense, comprising many branches, each exposed to a variety of contingencies, an exact correspondence of the actual disbursement with the estimated was not to be looked for, especially at the period in question : of this the Committee must be aware, from the observations already made. Substantial reasons may, however, be adduced for every difference.

In many items, the sums disbursed have been less than the estimate : and in those instances where the estimate has been exceeded, which will appear to have been the case to a large amount, it is satisfactory to remark, that most essential benefits have been already derived from the advances made. Of these advances beyond the amount estimated, upwards of a million was in supply of the funds abroad, the necessity for which was not only imperious, but just, inasmuch as the amelioration of the home concern had been produced at the expence, and apparently to the detriment of that in India. Of this sum, upwards of 260,000*l.* was expended in exports of the manufactures of this country ; the remainder was in bullion.

The expected expenditure has been exceeded in the sum of 500,325*l.* by the payment of bonds by the purchasers at the sales. This, indeed, has occurred in an amount, more or less, for some years past ; although it has never been stated in the estimates. The omission is very correct, because the circumstance depends entirely, whether the bonds are at a premium or at a discount : if the former, it can never happen ; but if the latter in but a small amount, it will always suit the interest of the buyers to pay for their purchases by this method, as they are receiveable at par. As the issue of new bonds in this year has been very trivial, the bond debt will be found reduced in nearly the whole sum paid in.

The excess by the pay of officers on furlough and on retirement, has arisen from a greater number embracing the benefit of the military regulations than was expected when the estimate was made— Another excess is in the payment to the Bank, in discharge of loans. This is merely in appearance, being only under one branch of the obligations to the Bank. On reference to the other, it will be discovered, that the sum of 700,000*l.* was deferred. The real state of this concern is,—the whole amount of the debt, at the commencement of the year, was 1,150,000*l.* Of this 700,000*l.* was a loan on the mortgage of the annuities, 100,000*l.* on bonds, and 350,000*l.* on the loyalty loan. It was originally in contemplation to discharge the two first, but finally determined to pay only the latter ; so that, instead of a real excess, it will appear that the

actual payments to the Bank were 450,000*l.* less than estimated, and that the debt still remaining due is reduced to 800,000*l.*

The heads under which the actual payments have fallen short of the estimated, to an amount requiring notice, are as follow :

The customs on the Company's goods, in the sum of 203,159*l.* Considering the enlarged importation, an excess was rather to have been expected ; but the sum due amounts to 415,921*l.* more than last year.

The freight paid on the Company's goods was also below the estimate 673,433*l.* which, from the numerous arrivals, was naturally to be expected to exceed likewise : the debt under this head is 434,000*l.* more than last year. A less sum, by 78,920*l.* has been paid on bills from India and China, from the bills not coming in course of payment in the year ; but a much larger amount is owing on those from China than last year. A difference has occurred in charges of merchandize, amounting 108,644*l.* partly from a less expence for buildings ; but this head usually includes a variety of contingencies, of which no calculation can properly be made.

The result of the comparison of the estimate and actual account of the whole receipt and expenditure is,—the balance of cash expected to be against the Company on the 1st March 1799, 1,318,937*l.* proved to be in favour, to the amount of 805,938*l.* ; making a balance of better than estimated, 2,124,875*l.* in consequence of the immense receipts on the sale of goods, the increased and advantageous disposal of the loyalty loan, the deferred payment to the Bank, and the smaller disbursements for customs, freight, &c. notwithstanding the extensive supply to the funds abroad, and the discharge of 500,000*l.* bonded debt.

ESTIMATE, 1799-1800.

The prospect entertained for the year 1799-1800 will likewise appear in the account, No. 23, already referred to, which was drawn up at the conclusion of the last official year. If the causes of the great variation from the estimates of the two past years were not fully understood, some diffidence in the ground of the estimate for the present year might arise ; and although the observation repeatedly made, as to the difficulty of stating the expectations, with any probability of their complete realization in time of war, might fairly apply in the present instance ; I have reason to hope that, notwithstanding the obstacles to be apprehended, the calculations, upon the present occasion, will be verified in the result : at any rate, it may with propriety be remarked, that they appear to have been

warranted by the general circumstances at the time they were made.

The great and leading point first to be noticed in the estimate is the receipt for the sale of goods. The amount stated on this account is 7,840,528*l.* which is only 76,124*l.* more than the receipt in the last year. The estimate appears to be made with great caution: the sale is taken at 470,000*l.* less than the last year, though the value of goods in warehouse was more by 3,400,000*l.* The principle on which it is formed is as follows: The sales were estimated to amount to 7,863,000*l.*; of which may be received, after the close of the year, 865,000*l.*; leaving the receipt on these sales at 6,998,000*l.*; but, reckoning on the payment of what was due on the sales of the last year, to the amount of 842,528*l.* making, as above, 7,840,528*l.* From the sales actually made (as far as it can be ascertained) there exists every probability that the expectations in this regard will not be disappointed.

On the payment side, the customs and freight are calculated, as usual, on the quantity of goods expected: A variation in the first, may arise from the act passed in the last session, by which, in some cases, the purchasers will pay the customs. The supply to India in bills and bullion, and the manufactures of this country, is stated to a large amount; and it is expected that the sum of 800,000*l.* will be paid to the Bank. The result of the whole is, the balance against the Company, on 1st March 1800, is estimated to be 565,988*l.* From the experience of the two past years, a more favourable out-turn, as to the cash balance, may be expected; and indeed it is more than probable that arrangements have been made, accommodated to the circumstances of the Company.

DEBTS AT HOME.

The debts and assets at home come next under review. In March 1798, the debts amounted to 7,284,694*l.*;—in March 1799, by No. 23, their amount was 7,103,762*l.*; being a decrease, in the last year, of 180,932*l.*

This, it is to be observed, is the net decrease. On some items an increase has appeared; but these have, for the most part, been already noticed. The large diminution of the bond debt, and of the debt to the Bank, likewise before-mentioned, with the smaller sums due on bills from India, and other articles not necessary to be particularized, produced the difference here stated.

ASSETS AT HOME.

A considerable amelioration of the property at home was shewn in the last year. In the present, it has occurred in a much greater

amount. The value of the assets was, on the 1st March 1798, 13,211,370*l.*;—on the 1st March 1799, by No. 23, it was 17,119,628*l.*; making an increase amounting to 3,908,258*l.*

The increased amount of goods in warehouse, and of the sums due on sales, has been adverted to. Additions are found in the outward-bound cargoes, in bullion, and in articles for export. The only item shewing a decrease, requiring notice, is the cargoes from China, which had not arrived at the time of making up the account of the last year.

If the decrease of the debts, amounting to 180,932*l.* is added to the above increase of assets, the improvement of the home concern in this year will appear to be 4,089,190*l.*

CHINA AND ST. HELENA.

In the last year, a reverse at China appeared to a large amount. The balance against the Company, by the accounts now under examination, appears to have increased. In the former year it amounted to 718,945*l.*; by No. 24 of the present accounts it was 1,073,607*l.*; which is more unfavourable by 354,662*l.*

No books of a later date having been received from St. Helena than those from which the balance stated last year was taken, a comparison in that instance cannot be made.

GENERAL COMPARATIVE VIEW of the Debts and Assets in the last and present year's Account.

The final object intended to be accomplished by the present investigation is, a discovery of the effect produced on the Company's concerns at large, by the transactions, both abroad and at home, during the year under consideration. To that end it will be necessary to draw into one view the increase or decrease of debts and assets which have been already stated.

An increase has appeared in the debts in India, amounting to 1,738,106*l.*;—the decrease in the debts at home is 180,932*l.*; and, deducted from the increase in India, shews the net increase of debts to be 1,557,174*l.* The decrease of assets in India is 608,242*l.*;—the increase of assets at home is 3,908,258*l.*; by deducting the decrease in India, the increase of the assets will be 3,300,016*l.*; and deducting farther the decrease at China, amounting to 354,662*l.* the net increase of assets will then appear to be 2,945,354*l.* The difference between this sum and the increase of debt, as above, is 1,388,180*l.* and is the amount in which the general state of the Company's affairs has improved in the period of account now before the Committee.

The account, No. 24, intituled, Stock by Computation, is drawn up with the view, likewise, of exhibiting the general state of the Company's affairs both abroad and at home. The comparison of the balances of this account, from year to year, should correspond with the comparison now made; the reason why it does not, has been formerly explained. By this account it appears, that the balance of property in India was taken from stock accounts of various dates, some so far back as October 1797. Every adjustment was made, as prescribed by the advices received at the time of making up the accounts; and the dates of the invoices of cargoes to or from India were examined, that no part of their value should be included, both abroad and at home.

As the amount of the property in India, No. 21 of the statements now under reference, was made up to the 30th April 1798, a farther examination has taken place; and it appears that cargoes to the amount of 279,653*l.* forming a part of the assets at home, arrived in India, previous to the closing of the quick stocks, on 30th April 1798. This sum must, in course, be deducted; when the net improvement will be reduced to 1,108,527*l.*

The results arising from the investigation of the accounts, naturally suggest the propriety of further remarks.

From the origin of the establishment of the present system of controul over the affairs of the East-India Company, but particularly since the arrangement in the year 1793 (the commencement of the present charter), my earnest endeavours have been exerted, that the end designed should be fully accomplished. Every variation from the estimate then formed, which was considered the basis of the financial calculations, has been distinctly attended to; the subsequent estimates, framed agreeably to the circumstances of the times, have been minutely examined, and their out-turn, either as it respected revenue or charge, closely investigated, and stated to the Committee. Upon the present occasion, it has been deemed requisite to go into more extensive explanations in the detail of the examination, because it is the first in which a deficit has appeared in the resources of India to answer the demands, and because the result in the home concern has been so much more favourable than any expectation which could have been entertained. These explanations might, perhaps, be sufficient to account for the differences between the estimates and the actual accounts of the year in question; but it appears needful that the attention of the Committee should be directed to a more general view of the subject, lest any alarm should arise in consequence of the deficiency abroad, and lest the confidence

in the stability of the resources there (which may be justly entertained) should be shaken.

The estimate of the year 1793, now adverted to, was framed on the most accurate calculations prescribed by the experience of past years. That the prospects might not be over-rated, the resources, though evidently in a state of improvement, were taken on a moderate scale:—This is proved by the issue. Their produce has more than justified the expectations; and although fluctuations on so immense a revenue must naturally be expected, the estimate has been exceeded in no less a sum than a million sterling on the average: and it is satisfactory to observe, that notwithstanding some disappointments have occasionally happened in the realization of the Company's own immediate resources, nothing has occurred to raise any doubt of their general stability and permanence. The subsidies from the Princes in alliance with the Company, for the military assistance rendered them, have received a considerable addition; and it is expected that the receipts on that account will, in the year 1798-9, exceed the sum first stated in no less an amount than 560,000*l*.

From what has been now observed, it must be concluded, that the immense difference has entirely arisen from the increase of the charges. It nevertheless appears, that the estimate, in this respect was framed with an equal degree of caution. The increase has been occasioned by circumstances which could not possibly be foreseen: it has been progressive; and the various additions have been annually explained to the Committee as they arose. On the review it will be found, that a part may be looked upon to be permanent; as that occasioned by the regulations for the administration of justice, that incurred by the military regulations in 1796, with the increased pay to the Europeans, in conformity with the same measure in England; also the addition to the army, in consequence of the subsidiary treaties: but a very material part of the increased expence may be stated to be temporary and contingent, and to have arisen from the necessity of various expeditions, and of warlike preparations, of which it will not be practicable to ascertain the whole charge incurred till accounts of a later date shall be received. It is then intended more fully to illustrate the policy of the measures adopted from time to time; likewise the important and beneficial consequences which may be ultimately expected from the successful issue of the late military operations.

A part of the additional disbursement may be attributed to the commerce; the debts having been increased from the measure of carrying the investments to the utmost extent possible, from which the

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annual interest was much greater. The remarks now offered arise from the general view of the whole concern, and lead to the most satisfactory inferences. The expences have certainly been immense; but, under every circumstance of the war, the revenues have increased, and the trade has been advanced, to an amount before unknown. Great advantages have been already derived; more may be expected. The major part of the expence incurred can only be esteemed a temporary sacrifice to obtain a substantial and permanent benefit. My opinions to this effect have formerly been given; and I am much gratified, that in whatever way the subject is considered, they appear to be fully warranted in the result.

The view of the political situation of the Company, presents a source of the highest satisfaction, and cannot fail of producing the warmest approbation of every measure which has been adopted. The necessity of the most vigorous and decisive measures is completely self-evident; and if the preservation of the British possessions, entire and undiminished, had been alone accomplished, a truly valuable end would have been answered: but when the most sanguine expectations have been exceeded, and the power and influence of this country in the East have been carried to an extent, and established on a footing, flattering to its pride, and conducive to its general interests, every regret at the immense expences incurred will vanish, and the attention will only be directed to the ample remuneration which will hereafter be found.

The pursuit and attainment of these great objects naturally affected the whole financial system abroad, in a degree apparently injurious to the commercial interests. A very considerable part of the sum usually appropriated to the purposes of commerce became absorbed; so that the continuance of the investments at their accustomed amount, and much more the extension, might certainly be considered a question rather problematical, from the difficulty of providing funds increasing with the additional amount required; and specially as those funds could only be raised on loans, at expensive rates of interest, or on bills at an unfavourable exchange. The effect of the former has been shewn in the increased debt abroad, and the inconvenience is felt in the great demand for interest: but at the periods in question, no inconvenience of this description could be put in competition with the far greater evils which must have arisen from the interruption of the manufactures on the one hand, or with the advantages which, on every commercial principle, might be reckoned upon, on the other. In both respects, the end has been fully answered; the industry of the natives has had full scope, and the produce of it has met a ready and profitable market. The

treasury at home has been replenished, and the Company have been enabled to afford to India extensive supplies at most seasonable periods. The payments from the home treasury on account of India and China, in the three years 1797-8 to 1799-1800 (a year later than the accounts now before the Committee), have amounted to no less a sum than 10,660,000*l.* Of this, 4,100,000*l.* were for the exports of this country, 2,240,000*l.* for bullion, 2,700,000*l.* in payment of bills of exchange, and 1,600,000*l.* in liquidation of the Indian debt; so that the average supply in those years was more than 3,500,000*l.*

The propriety of keeping up the investments in India to the utmost amount possible, is still farther evinced, by a reference to the situation of the Company, in consequence of the expulsion of European rivals. The opportunity was too favourable to be neglected; it became, in fact, a duty to embrace it. On that principle, the Legislature permitted (if necessary) an addition of two millions to the capital stock. The depressed value of the public securities, for a considerable time after the passing of that act, rendered it unadvisable to have recourse to this measure; which, in one respect, may be deemed fortunate, as an opportunity has been afforded of discovering the power and extent of the Company's credit and resources; and the full benefit of the exertions abroad has been derived by the aid only of occasional issues of bonds and of loans from the Bank, each of which has been reduced to the former level. In the last year, a considerable amelioration appeared in the home concern; but in no proportion equal to that in the accounts of the present year. Against this the deterioration of the foreign may be stated; but the most effectual remedy in that respect has been applied; and the improvement on the concern in general, compared with the year preceding, exceeds one million sterling.

The produce of the sales in the year 1798-9 was unprecedented. The encouragements under the act of 1793 to private traders, that the commerce of the East might be brought to Great Britain, have already had happy effects. The sales of private trade goods are every year increasing; those of the last year exceeded any former; those of the year now under consideration were still 400,000*l.* more; and little doubt need be entertained, but by a regulated extension of the privilege, and by the adoption of such additional wise measures as experience may suggest, steadily adhering at the same time to the principle in view when the act was passed, the object will be attained, so far as, under existing circumstances, there is just ground to hope.

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Greater credit may be assumed from the amount of the sales in general, from the discovery that the purchases were not made on mere speculation, but on a real demand. In the articles for foreign consumption, particularly, proofs to that effect exist; and the goods were shipped with a rapidity before unknown. An evidence, still stronger, is found on the sales of the next year, which, as far as the accounts are made up, appear to have been equal to the large amount estimated.

The improving state of the commerce is likewise manifested in the enlarged demands for the manufactures of this country. From the ready sale, the governments abroad were induced to add considerably to their indents: and the Court of Directors, willing to contribute so essentially to the general advantage, greatly enlarged the consignments. Some later advices mention a partial stagnation, from the scarcity of specie, and the disturbed state of India. The supply of bullion from home will have afforded great relief in the first instance, and the successful operations of the British arms will have materially contributed to correct the other; so that there is every prospect of an increased consumption in future. A demand may likewise arise in the recently acquired territories, and in other parts where it has been endeavoured to establish a commercial intercourse.

The substantial advantages accruing, both abroad and at home, from an increased demand of the manufactures, in either instance, will not be disputed: in it centers the surest source of prosperity. Those advantages cannot be more strongly exemplified than in the period now under consideration. The employ of the thousands of industrious artizans in the Indian provinces, afforded the means of purchasing the goods of this country, and contributed largely to produce other beneficial effects, already stated.

The trade with China may not perhaps be thought to be productive of this reciprocal advantage in so great a degree; the benefit is still, however, immense, both to the Company and to the Nation: to the Company, from contributing most essentially to the sales at home, in an article yielding considerable profit. The benefit to the Nation, exclusive of the employment of shipping, is two-fold; in point of revenue, as will be again noticed, but specially, in the constant, regular, and increasing annual demand for the woollens and metals. The demand, indeed, for woollens, may be stated as beneficial to the Nation alone; as in a commercial point of view, the Company, considered only as merchants, might not think it prudent to attend to it, on account of the loss to which it frequently exposes them; but notwithstanding a loss in the last year, the ex-

port in the following has been increased, because the Company, from a sense of duty to the Public, very properly reflected, that they should not be justified in placing their own immediate interest in competition with the advantages generally diffused by the consumption of manufactures to the amount of several hundred thousand pounds sterling. It is much to be regretted, that, from the situation of the affairs in India, the balances due the Chinese merchants were so greatly increased; as it is always desirable for the credit of the Company and of the Nation to keep them as low as possible. Late advices state, that by the timely assistance of bullion and goods from, and bills upon Europe and the Presidencies in India, the balance has since been reduced from 1,073,000*l.* to 220,000*l.*

I have already remarked, that the produce of the sales in the year 1798-9 was unprecedented. Their immense amount, notwithstanding the continued demands upon the capital of the country for the purposes of war, furnishes a convincing proof of the general commercial prosperity. The internal prosperity is likewise particularly displayed, in the greatly increased amount of one article, forming a very material part of those sales. The article alluded to is that of tea; which, though it may perhaps be termed an artificial necessity of life, is become a necessity few would be disposed to relinquish. The consumption of it has gradually increased since the year 1784, the time of passing the Commutation Act. At that time it was supposed by some gentlemen, that the quantity consumed would not exceed twelve millions of pounds; and I well remember differing in opinion on that subject, with a most valuable character now no more, the late Mr. Nathaniel Smith, for whose memory I shall ever retain the highest respect. The result has been most flattering to my expectations, and most beneficial to the country, in point of revenue. By an account of the annual sales of tea from 1784 to the latest period, it appears that till the year 1790 they amounted, on the average, to sixteen million pounds weight, never below fifteen: from that time to 1796, the increase was progressively to twenty-one millions. In the two following years they did not quite reach twenty millions; but in the year ending 1799, they arrived at near twenty-five millions; and there is every prospect that the next year will not fall short of that quantity.

Having offered the fullest explanations of the causes which have operated as a drain upon the resources of India, of the effect upon the commercial system, and of the measures successfully resorted to for carrying on and extending the trade; it still remains to be pre-

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vised, that notwithstanding the wisdom of those measures appears so fully confirmed by their favourable out-turn as to demand an almost unqualified approbation, and notwithstanding the wish I ever did and always shall entertain for the utmost extension of the company's trade, I am not prepared to say it will be, at every time, prudent to furnish the investments, by adding to the debt in India. The peculiar situation of affairs rendered it, in the past case, expedient, and indeed necessary; but in future, other modes must be devised. A considerable surplus from the revenues will again, I trust, very soon accrue; but in whatever sum that may prove deficient for the purchase of cargoes, a supply must be found, either by bills upon the Court of Directors, or by bullion or exports from this country. The debt abroad must not be allowed to accumulate beyond a certain amount: it is, at present, far too large, and means must be discovered for its reduction.

It being intended to take a more comprehensive view of the general state of the Indian concern when the next accounts are laid before the House, the remaining observations, with regard to the situation of the possessions abroad, will be very brief.

A tolerable accurate judgment of the state of the provinces under the management of the several Presidencies may be formed, from the copious remarks upon the produce of their resources respectively. The causes of the disappointments in the receipts from the land rents, and from the sale of salt in Bengal, have been distinctly explained, and the remedy in contemplation to secure the more ready recovery of the former. The apprehensions of the tranquillity of the provinces being disturbed by the supposed disaffection of some of the Zemindars, appear to be completely removed, from the discovery of the artifice employed to produce them; and, exclusive of occasional protraction of the payments of the rents (by no means general), no ground of complaint seems to exist. On the contrary there is every reason to be satisfied that the great body of the landholders appear fully impressed with a sense of the superior comforts they enjoy, from the mild and equitable regulations established under the present system of government.

The only points in immediate connection with the Indian resources, to which it is further necessary to request the attention of the Committee, are those relating to the alliances with the native princes. Some important changes have been glanced at, and an intention signified that more precise information would be afforded.

The due realization of the subsidies which those princes severally engaged to pay to the Company for military succours, is certainly of material consequence. In some instances, it is secured by direct

assignments of districts ; in others, the good faith of the parties was the only guarantee. The treaty with the late Nabob Vizier of Oude was under this predicament, and will be the first for remark.

It may not be requisite now to enter upon the discussion of the origin of this connection, nor of the obligations which the former Vizier was under to the Company. Of this, both himself and his successor, the Nabob who died in 1797, appeared sensible, and the engagements they entered into were discharged. The necessity of preserving the influence which had long subsisted at the Court of Lucknow, cannot be disputed ; nor the consequence which must attach to the exercise of that influence on principles of moderation and justice. During the latter part of the life of the late Vizier, the errors in the administration of his affairs were such as to threaten the most serious evils, and were the cause of repeated friendly remonstrances on the part of the Bengal government.

The events immediately following the death of the Vizier are detailed in the very able and judicious minute of the late Governor General, laid before the House, with other documents on this subject, in the last session. The succession of Vizier Ally, a youth about sixteen years of age, the reputed son of the deceased, the necessity of his early deposition and of placing the rightful heir on the Musnud, are therein distinctly stated, also the treaty with the latter, conferring greater advantages on the Company. The defective title of the deposed Nabob was fully proved ; and his deposition may be considered a favourable circumstance, as the worst of consequences might have been expected from the treachery and baseness of his disposition, also from his enmity to the British. These have since been most fatally displayed in the premeditated assassination of the Resident and some other gentlemen at Benares, where he had retired, under the protection of the Company, on ample allowances from the government of Oude. The adoption of prompt and vigorous measures, prevented the further accomplishment of his purposes ; and he, for a time, escaped by flight the just vengeance due to his crimes.

The increased subsidy provides for an additional force stationed in Oude. Doubts were, at first, entertained for its realization for a year or two ; but, by late advices, the payments have been punctually kept up. The intention of the present Vizier to reform the Administration, and to disband a great part of his own extensive army, and institute a more disciplined force in its room, will enable him to continue the regular fulfilment of the stipulations of his treaty.

The due performance of the stipulations in the treaties with the Nabob of Arcot and the Rajah of Tanjore is secured, by specific assignments of districts in their respective territories. As to the Nabob of Arcot, it was reasonably to be expected that the long established alliance with his family, and a grateful sense of the eminent services they had received, would have been inducements to the most friendly and cordial co-operation, in whatever might have a tendency to further the interests of his allies. A modification of the arrangements made in the year 1792 was desirable for the interest of both parties: the remonstrances with him, on that subject, have been formerly stated to the Committee; nothing however has been yet effected.

The Committee were informed, in the last year, of the assumption of the assigned districts in the Tanjore country. That measure has been followed by one of still greater importance, but totally unconnected with the character or conduct of the Rajah, or the fulfilment of his stipulated engagements. A long detail of the reasons which influenced the Governments in India in the transaction now to be stated, would consume too much time; suffice it to say that they were prescribed by every principle of justice, and that the measure was not carried into effect without an elaborate investigation, nor without reference to the most venerable Hindoo characters in different parts of India. On their judgment of the illegality of the title of the Rajah to the Musnud, he was removed; and as the right of the adopted son of the former Rajah was, on the same judgment, pronounced indisputably valid, he was accordingly seated on the throne. The change has not produced any disturbance, the late Rajah having shewn all submission to the decision, from his deference to the respectable authorities on which it was founded. Every arrangement has been made, that the effect of the loss of his station and dignity may be felt as little as possible; and a suitable allowance has been conferred by the present Rajah for his support.

The Committee are already furnished with complete information of the circumstances connected with the late war in Mysore, by the documents not long since presented to Parliament. The resolutions of the House have recorded the gratitude of the country, and the sense entertained of the distinguished merits of the most noble and truly honourable and respectable characters, to whose wisdom and talents in the management of the affairs of the East, at a very critical and momentous period, we are most signally indebted. The like just tribute has been paid to the armies, by whose undaunted courage, and indefatigable zeal and exertions, the speedy and successful termination of this unprovoked war has been accomplished.

Having signified my intention of soon offering to the Committee a more comprehensive view of the Company's concerns, I shall, till then, defer any observations on the extensive happy consequences to be expected from this memorable event.

HOUSE OF COMMONS.

Wednesday, July 23.

A message from the Lords informed the House their Lordships had agreed to the Lunatic High Treason bill; the French Wine Importation bill; the Navy Stores Embezzlement bill; the Thames Police bill; the New Forest bill; and several other bills of a public and private nature.

The three several bills for raising 3,000,000*l.* each, went through Committees, and were ordered to be read a third time to-morrow.

Mr. TIERNEY, in the absence of the Chancellor of the Exchequer, desired to know of the right honourable Secretary (Mr. Dundas), whether Government had received any official information of an armistice between the Emperor and the French Republic?

Mr. DUNDAS said, he was not prepared to give any answer to this question.

Mr. TIERNEY observed, that the report of an armistice having been signed by the Emperor with France was very prevalent, and he wished to know if any information of this kind had been received; because, if it had, he wished to have made a motion for the introduction of a clause into the Emperor's Loan bill, which in his opinion ought necessarily to arise out of this information; and now that no answer was returned, he would still take an opportunity of moving for the introduction of a clause into the bill, to prohibit sending any remittances to the Emperor (if such information was received) till after the recommencement of hostilities. He thought such a clause but reasonable, if this loan was granted for the more vigorous prosecution of the war.

The SPEAKER said that the honourable gentleman would have an opportunity of moving the introduction of this clause to-morrow, on the third reading of the bill.

Mr. JONES then rose to move for some papers relative to the evacuation of Egypt by the French. The transactions concerning this business appeared to him to be at present extremely mysterious,

and loudly demanding the strict and immediate investigation of the House. He had persisted in making this motion, though he wished for abilities greater than his to support it. He had, during the short time that he had sat in Parliament, seen a great unwillingness on the part of Ministers to produce papers relative to any public events. He allowed that it might be often inconvenient to produce them; but he could not always coincide in this argument, as this would prevent all inquiry into the conduct of Ministers, and in fact destroy their responsibility. He had seen papers refused different times, when there would have been no danger in producing them. It could not be said that motions for the production of such papers were new and unprecedented; for, during the American war papers had often been called for, and Lord North had not objected to their being produced. But the present Ministers had constantly refused to produce any papers relative to great public events. Papers were called for relative to the Quiberon expedition; they were refused: papers were called for relative to the Dutch expedition; they were refused. When he had lately asked for one paper (the instructions sent to Lord Keith upon the very point on which he meant now to move for other papers), it was also refused so far that it is to be formally laid on the table through the right honourable Secretary. Mr. Dundas had stated its contents. The transactions relative to the evacuation of Egypt seemed to imply, that there had been a misunderstanding between His Majesty's Commanders, His Majesty's Ministers, and His Majesty's Allies. The papers which he meant now to move for, would do away this misunderstanding. There were several important questions which he wished to be answered, and which these papers would answer. He wished to know if Sir Sidney Smith was not joined with his brother, Mr. Spencer Smith, as Plenipotentiary of Great Britain with the Ottoman Porte? He wished to know if he was not invested with the chief command of the British forces in Egypt? He wished to know if he had not, in these two characters, full powers to conclude, along with the Grand Vizier, a convention with the French for the evacuation of Egypt? He wished to know if Ministers, previous to the 24th of January 1800, expressed any disapprobation of Sir Sidney Smith's entering into any convention for the evacuation of Egypt, though they must have known that some such convention had been in agitation ever since May 1799? He wished to know if Lord Elgin had not instructed Sir Sidney Smith to use every means in his power to get the French out of Egypt? He wished to know if the letter stating the intention of this country not to ratify the treaty, was not transmitted to General Kleber, before

any such intention had been communicated either to Sir Sidney Smith, or the Commander of the forces of the Porte? He wished to know if this intention was communicated to our good ally the Grand Seignior? if he was informed of a measure which on its first blush affected the lives of 8000 of his subjects, and which might in the end affect his capital and his very existence? a measure which tended to endanger our own territorial possessions in India; a measure which could be justified on no possible principles either of policy, humanity, or justice: these things required to be sifted to the bottom; and however averse he might feel himself to intrude on the House, he felt himself called upon to move an inquiry.

Mr. JONES then read the following string of motions:

“That an humble address be presented to His Majesty, that he will be graciously pleased to give directions that there be laid before this House, a copy of the appointment of Sir Sidney Smith at the Court of Constantinople.

“That an humble address be presented to His Majesty, that he will be graciously pleased to give directions that there be laid before this House, a copy of the appointment of Mr. Spencer Smith at the Court of Constantinople.

“That an humble address be presented to His Majesty, that he will be graciously pleased to give directions that there be laid before this House, a copy of the appointment of the right honourable the Earl of Elgin at the Court of Constantinople.

“That an humble address be presented to His Majesty, that he will be graciously pleased to give directions that there be laid before this House, extracts of all letters passing to and from the right honourable the Earl of Elgin, Sir Sidney Smith, Mr. Spencer Smith, and any of His Majesty's Ministers, relative to the convention for the evacuation of Egypt.

“That an humble address be presented to His Majesty, that he will be graciously pleased to give directions that there be laid before this House, a copy of the treaty made on board His Majesty's ship the *Tigré*, in the eleventh article of which Great Britain and its allies, the Porte, and Russia, are considered as parties to the same, and to ensure a safe return of the French army.

“That an humble address be presented to His Majesty, that he will be graciously pleased to give directions that there be laid before this House, copies of the instructions given to the right honourable the Earl of Elgin, Sir Sidney Smith, Mr. Spencer Smith, and the Commander in Chief of the fleet in the Mediterranean, relative to the evacuation of Egypt.”

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Mr. DUNDAS said, he wished the honourable gentleman had stated the grounds on which he made these different motions. He had formerly, when the honourable gentleman made a motion of a similar nature, in opposing it, not rested on the general objection which must have occurred to every man on the impropriety of a motion which called to state every connection and communication which this country had had with the Ottoman Porte, and with the Commanders of His Majesty's forces, and the Agents of Government in Egypt. He might have contented himself with this general objection, because the object of his motions must at once have appeared to this House to be improper and absurd. But he had not done so, because he wished the House to see the real state of affairs; but he concluded with stating that the information he had given was much more than could be collected, were the papers moved for laid before the House. At present he could do nothing more than re-state what he then stated; and were he to do so, the force of his argument would be again felt, because the object of the motions which the honourable gentleman had made was precisely the same with that of the motion which he had made on a former night. Surely nothing would be more absurd than to demand copies of all papers, communications, and letters which had passed between Ministers and the Agents of Government of every description in Turkey and in Egypt, whether these letters contained merely private views and suggestions on public affairs, or were official communications. As to the first motion, he would inform the honourable gentleman that Sir Sidney Smith was never appointed to the command of His Majesty's forces in Egypt. What had misled the honourable gentleman, probably, was the document which appointed him joint Plenipotentiary to negotiate a treaty of alliance between this country and the Porte. But after that treaty was signed his powers were at an end, and he had no authority to enter into any convention on the part of Great Britain. He hoped the motions would not be persisted in.

Mr. ROBSON supported the motion. He thought that Parliament had a right to inquire into the conduct of public affairs. He had yesterday wished to be informed when the Russian treaty would be at an end, and when we were to give up paying a subsidy to that empire. Their troops were to have returned home as soon as the Sound was open. They still remained, and he had long wished to know when they would return? No answer had been given to this inquiry; now a motion was made for inquiry on another subject. If it could be proved that this inquiry would interfere with the great object of peace, he would be the last man to press it. But it

could not possibly be urged that any thing of this kind was in the present case to be apprehended. He only asked for documents relating to transactions in Egypt, to the causes of the refusal to ratify the convention which was entered into and agreed upon for the evacuation of that country. The same convention had been approved of now—it could not be unfair to ask why it was opposed then? If it was right at the present moment, something ought to be stated to show that it was wrong then. Such a statement had not been made; he asked for papers to see whether any circumstances to justify such a statement really existed. If they did not, the refusal to ratify the treaty must be a proper ground of censure on Ministers. Besides, in point of fact, it could not be doubted that the evacuation of Egypt by the French was as advantageous for this country as for France, as it removed a danger certainly threatening our possessions in India, and touching upon the most valuable and profitable trade of the kingdom. Why then, he would repeat, was not the convention ratified at first? Sir Sidney Smith had been sent as the Commander in Chief of the forces of this country in those seas; at least he had a broad pendant flying on board his own vessel. For what purpose could he be sent there, but in order to co-operate with our allies in the common cause? His efforts in this cause were certainly those of an able and gallant officer. Bonaparte left Egypt in the summer of 1799; Kleber, whom he left Commander in Chief of the French forces in his room, was naturally not a little irritated by the method of his departure. Some negotiations had been attempted by Bonaparte himself. Kleber was anxious to continue them. Nothing, however, definitive was done till December 1799. Then they were renewed at the request of Sir Sidney Smith himself, the Commander in Chief of the forces of this country in that quarter. He considered the evacuation of Egypt by the French to be a very important object, and was successful in concluding a convention for this purpose. It was remarkable, that Kleber consented to enter into this convention on the express ground that he could depend on England, whereas he could place no reliance on the Turks. He sent two French officers to negotiate the convention, not to the camp of the Grand Vizier, but on board His Majesty's ship the *Tigré*. The negotiations were continued from December 1799, to the 24th of January 1800. The negotiating parties were Poussielgue and Deffaix, two French Generals, and two Turks. This negotiation, commenced on board the *Tigré*, carried on for more than a month, was finally brought to a conclusion; and the convention was ratified by Sir Sidney Smith, acting, or conceiving that he acted on the part of this coun-

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try, and thinking that he could not better promote its interests than by getting the French out of Egypt. What was the nature of this convention? By the 11th article it was agreed to grant passports, in the name of the allies, to the French, to secure their return to their own country. So that Sir Sidney Smith contracted the treaty, not only in the name of this country, but also of its allies. By the 16th article, the French agreed not to raise any more contributions; on the contrary, to leave all the magazines, &c. which were to be valued by Turkish Commissaries and by the Commander of the British forces. Here again the French shew, that they would not trust to the Turks; but that they depended on the English for the execution of every article of the treaty, even those with which they had nothing to do. By the 19th article, the French transports were allowed to navigate the coast of Egypt, which it was clear that they could not do without the consent of the Commander of the English fleet, but which in point of fact they did for several months on the faith of this article. Beside these articles, another thing appeared on the face of this convention, which surely would never be stated as an objectionable part of it: a hope was expressed that it would lead to peace. Such was the nature of this convention, which he would affirm was wise in both parties, and advantageous to this country. If it was so, the question recurred why it was refused to be ratified by this country? He would defy any gentleman to prove any situation of affairs in the Mediterranean, which rendered its ratification dangerous, or which could justify the breach of it; a breach equally inconsistent with the faith, the honour, and the dignity of England. The treaty was contracted also in the name of the allies of this country. Russia had fleets in those seas, and thus that power became a party in it. Did she express her disapprobation of it? Did she give any opinion on it at all? If she approved of it, what could she think of the refusal to ratify it on the part of England? If she disapproved of it, what would she think of its being ratified now? But after this treaty was concluded, if we return to Egypt we find Kleber, on the faith of it, giving up large districts of country; surrendering towns and fortresses which were in his possession; withdrawing his forces from Upper Egypt, and on the point of giving up Cairo; when at this critical moment, Lord Keith's letter, dated the 3d of February 1800, arrived.—What was the result? The French fell upon the Turks, routed their forces, and in their turn the Turks massacred 4000 French in Cairo. Such were the fatal effects of this breach of faith, committed too at the very moment when the French were upbraided in this country for their want of faith; and when this

was the ground on which the right honourable gentleman, the Chancellor of the Exchequer, who did not now chuse to attend in his place, justified what he called the wise and dignified reply of Lord Grenville to Bonaparte's overtures for peace; an answer which, he would be bold to say, was countenanced no where but in that House. He did not call for inquiry as to the management of India affairs. He was ready to allow that the right honourable Secretary managed the affairs of that country, which is the source of much of the commerce and wealth of this kingdom, with great prudence and ability. He did not call for inquiry as to the conduct of our fleets; he allowed that they could not be more ably commanded, that they contributed much to the glory, as well as defence of the country. He did not call for inquiry on minute and partial measures of general policy. But he called for inquiry on the administration of the affairs of Europe, by His Majesty's Cabinet Counsellors, by Lord Grenville, the author of the wise and dignified reply, and by the Chancellor of the Exchequer, the defender of it; and who ere long, he expected to be obliged to eat the words which they had uttered upon that subject. In this case he called for an inquiry, and in common justice to a brave Commander, Sir Sidney Smith, he thought that the papers and instructions moved for should be laid on the table. There was a mystery in the whole proceedings on this business. Lord Keith was found sometimes acting with the allies, sometimes in opposition to them. This treaty was concluded on the part of the allies, as well as that of this country. In writing the letter, refusing on the part of this country to ratify the treaty, he certainly acted in opposition to the allies. It was proper to inquire whether or not he acted under orders from Ministers. Certainly it was due also to his character. Lord Elgin was found acting in a similar manner—refusing at one time to ratify the treaty, and afterwards, when it was too late, when battles had been fought, and thousands had been massacred, offering to accede to the Turks going on with the treaty. If, in consequence of the refusal to ratify this treaty, the French had been able to retain possession of Egypt, which, had Kleber not chosen anew to accede to the convention, he saw nothing to hinder them from doing, would they not, at the conclusion of a general peace, have laid in a claim, and a just one too, for some great compensation for evacuating it at that period? Then the folly of the refusal would have been seen in its true colours. In the American war, papers were freely granted. No important or fatal event took place, but papers were called for and produced. In 1776, 1777, and 1779, instances occurred of this kind. It could not therefore be argued,

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that the acquiescing in the present motion would be without precedent. By the refusal of this country to accede to the treaty, it had absolutely fallen into war with its allies. Russia sanctioned the treaty, — and in what but a state of war was this country now with Russia? These are matters that ought to be inquired into. The people ought to know who were the authors of Lord Keith's letter. It was no excuse to say, that by this convention 10,000 soldiers would have been restored to France. Men have been sent from this country into the Mediterranean. He saw himself still surrounded on all hands by camps of 10,000 and of 20,000 men in this country. Might not these, if the honourable gentlemen were really so much afraid for Italy, have been sent to counterbalance the 10,000 whom the French would have gained, to assist in their projects against that country? But could it really be said, that this country ought to take care of Italy, rather than its Indian possessions? He confessed he felt a great partiality for Italy; but surely no man could compare its importance to this country with that of India. — But what harm could arise from producing the papers called for? As things remained now, a false and illiberal imputation rested on the conduct of Sir Sidney Smith. It might be said that the whole arose from mistake and distance of place. But if inquiry be refused, a sanction is given to past, and encouragement to future blunders. — The House might take upon itself the responsibility of this unwise, impolitic refusal, and of all the fatal consequences and barbarous massacres which ensued. The honourable gentleman then proceeded to advert to the refusal of Ministers, on a former occasion, to account for the disbursement, or to refund some money which had been raised on the faith of the new parish rate bill, which was afterwards thrown out of the House. He said, that when he got a seat in Parliament, he thought he had obtained a right to inquire into the disbursement of the public money, and to call for inquiry on public measures; but no sooner had he attempted to exercise this imagined privilege, than he found that he possessed it not. He gave as an instance, his former inquiry, and enlarged considerably on the causes which had induced him to make this inquiry.

Colonel GASCOYNE spoke to order.

The SPEAKER said, that he was sorry to interrupt the honourable gentleman; but he really conceived that there was no connection between what he had been dwelling upon for some time, and the motion before the House, the soup establishment, and the appointment of Sir Sidney Smith to the command of the fleet in Egypt.

Mr. ROBSON asked pardon of the House, if he had been out of order. He had only conceived, that in support of this motion, he might advert to the refusal of Ministers to accede to another inquiry. He then made some farther observations on the propriety of granting the papers now called for, and concluded with giving it as his opinion, that inquiry ought not to be refused, when the Nation was in the state it was in, and when Parliament was about to be adjourned. He would ask any man in his senses, if he could expect, in the recess, a well-conducted prosecution of the war, or a well-negotiated peace? He believed that there were few who could form such an expectation; and, he trusted, that our gracious Sovereign would not be among the number.

Mr. JONES said, that the right honourable Secretary had not answered any one question which he had proposed to him.

Mr. TIERNEY begged leave to state very shortly his reasons for voting for this motion. It appeared that there had been a convention between the French and the Turks, which was signed on board one of His Majesty's ships. This convention was afterwards set aside in consequence of a letter from Lord Keith. But the difficulty was to know, where the blame rested; for Lord Keith's letter was written sixteen days before the convention was signed; the fact, however, was clear that the treaty had been broken by British interference. He wished to know upon what grounds Ministers sent out an order not to enter into any treaty with the French, but to insist upon absolute submission. It was said upon a former occasion, that it was necessary to insist upon absolute submission, in order to give them a lesson upon undertaking these kind of invasions; but he believed the right honourable gentleman opposite to him would be sorry if it was established as a principle that troops were never to return that were sent upon a foolish expedition. There was another fact that ought to be inquired into; and that was, that Lord Keith should have thought it necessary to write to General Kleber before he sent to Lord Elgin. It appeared, that in consequence of the treaty having been broken off, 8000 of the troops of our allies had been cut to pieces, and the French remained in possession of Egypt. If there was a negotiation for peace, the French would probably ask an indemnity for giving up Egypt. He admitted that it was not right to ask for papers that would give information that ought to be concealed.

Mr. GEORGE DALLAS contended, that there was not the least ground for accusing Ministers of violating the treaty; on the contrary, when they knew that it had been signed, they immediately sent out orders to confirm it.

The first motion was withdrawn by Mr. Jones ; and the House then divided on the second—For the motion, 3 ; Against it, 33. Majority, 30.

The other motions were then negatived without a division.

The order of the day being read on the bill for repealing the act of the last session of Parliament, to prevent the combination of workmen, and making other provisions in lieu thereof, several clauses were added to the bill by way of rider ; the bill was then passed, and ordered to be carried to the Lords by Colonel Gascoyne.

Mr. Secretary DUNDAS moved the order of the day, which was for the House to go into a Committee of the whole House, to consider of the several accounts presented by the East-India Company.

The House accordingly resolved itself into a Committee of the whole House.

Mr. DUNDAS.—The subject for the consideration of the Committee is the state of the finances of the East-India Company, during the official years 1798-9 abroad, and 1799-1800 at home, with the estimates, in both instances, for the following years. When the statements for the two years immediately preceding were brought forward, it was, upon each occasion, particularly explained, that from accident, the investigation of this important concern, in due course, had been interrupted. The material consequence attaching to the preservation of the official periods, in a regular and connected succession, was likewise pointed out ; and the prospect afforded, that by the receipt of the documents expected from India, this branch of the business would be soon again placed in its accustomed channel. A literal obedience to the directions of Parliament, in this regard, is at all times desirable ; but the production of the accounts now before the Committee is of singular moment, from the anxiety which must naturally arise, to obtain some discovery of the expences incurred, and the advantages to be expected, from the brilliant events within the periods to which they relate : I have therefore the greater satisfaction in being able to remark, that by the opportune arrival of advices from India, the order of investigation prescribed by the act is again established, with the exception only of the lapse of a few weeks, which may not be considered material, as the accounts are presented within the session, according to the dates required. It is, however, necessary to premise, that as at the periods to which the actual accounts abroad are made up, it was impossible to obtain exact statements of the military disbursements, in

consequence of the extended stations of the many detachments from the army in the field, some variations may be hereafter expected.

As an explanation of the nature of the accounts does not appear requisite, I shall only here state, that I have, according to my constant practice, entered upon a minute examination of their extensive detail; and that it is my intention, as on former occasions, to arrange the whole in the point of view, that it may be rendered as clear and intelligible as possible. To this end, the foreign accounts will first be attended to in their order, shewing the average revenues of each Presidency, for three years, compared with the average last drawn: the actual revenues and charges, compared with the estimated; combining them in one general result, that the net proceeds of the three Presidencies may be discovered. The further demands for the expences of some other settlements, and for the interest on the debts, will then be shewn, as also the effect of the produce of the sales of imports, in order to exhibit the amount applicable to the purposes of commerce. The sum actually applied will next be stated, and the amount of the cargoes consigned to Europe. The estimates for the next year will be brought, in like manner, into a general result; afterwards the state of the debts and assets compared with that of the last year. As to the home accounts, the extent of the trade will be shewn, by the produce of the sales; the actual receipt and expenditure will be examined, on a comparison with what was estimated: I shall then proceed to consider the estimate for the next year; likewise the debts and assets, contrasted with those of the year preceeding. The investigation of the whole of the accounts will be completed, by a general comparison of the increase or decrease of the debts and assets in the year; from which the principal object in view will be attained, *viz.* a discovery, whether on the whole, the Company's concerns have improved or not, during the period in question.

It was fully my intention, as stated to the Committee in my last address upon this subject, to have now entered comprehensively into the consideration of this great concern, in its every relation; but the lateness of the arrival of the accounts from India, and the incomplete state of them, as to the object particularly in view, oblige me to defer it till the next session. I shall nevertheless, upon the present occasion, endeavour to afford every requisite explanation of the numerous variations which appear in the several accounts, and likewise offer a few observations, arising from the general view of the Company's affairs, in order to lead to correct inferences on their actual situation.

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BENGAL.

The attention of the Committee is, in the first place, requested to the statements of the revenues and charges of the several Presidencies in India. Those numbered 1, 2, and 3, relate to Bengal.

The three first columns of No. 1 contain the revenues of the years 1796-7, 1797-8, and 1798-9, which, on the average, are found to amount to 5,880,087*l.* exceeding the average of 1795-6 to 1797-8 in the sum of 153,140*l.* This may, almost exclusively, be attributed to the increased receipts from Oude in the two last years.

Having repeatedly stated, as an objection to drawing an average of the charges in like manner with the revenues, that during the time of war they were subject to so many and so large additions, incidental to particular years only, as to defeat the main object of an averaged statement, *viz.* the annual permanent expence, I have only to add my regret, that the charges of the year now to be considered tend further to confirm the objection: they will be brought to view in the examination of the account No. 3, which is a comparison of the revenues and charges of the year 1798-9 as estimated, and according to the actual out-run. In this account an adjustment is made of the charges, so that those really appertaining to the year are stated with as much accuracy as practicable on so immense an expenditure.

The revenues were estimated to amount to 6,155,200*l.*; they actually amounted to 6,153,615*l.* being below the estimate in the sum of 1,585*l.*

It must have been observed, on the perusal of the account now referred to, that notwithstanding this small difference in the result, a surplus has arisen on some items, to the amount of 130,322*l.* and a deficiency in others, exceeding that sum in the degree above stated: some further explanation therefore appears requisite.

The articles in which the estimate has been exceeded are:

Mint Duties, in a trivial amount.

Subsidy from the Nabob of Oude, 23,072*l.* The estimate under this head was calculated on the receipt of a sum far exceeding the annual subsidy, taking in the arrears of a former year, and the expence of repairing some forts. The latter having fallen considerably short of what was expected, the receipt has likewise been less; so that the present excess arises entirely from the payment of the arrears being more than double what was reckoned upon.

Customs, 2,910*l.* This excess is entirely occasioned by the improvement in the mode of collection of the Calcutta customs, through

the vigilant exertions of the present collector. The actual receipt in this department exceeded the estimate 10,000*l.*; but from the deficiency at Mangée, the general excess was reduced to the amount now stated.

*Sale of Salt, 78,723*l.** The expectation from this article was stated nearly six lacs above the former estimates; it has nevertheless been exceeded, partly from the selling price being greater, and partly from a more extensive sale of Bengal salt. The produce of this year has exceeded that of the last 140,000*l.*

*Sale of Opium, 24,704*l.** The reason of the moderate scale on which the estimate of the produce of these sales was framed, was formerly stated. The excess is satisfactory, although the receipt has not been equal to that of the last year. The beneficial effects of the new system are already apparent, and afford the prospect of the complete re-establishment of this source of revenue.

The articles in which a deficiency has occurred are as follows, viz.

*Post-office Collections, 3,239*l.** The estimate, in this regard, was calculated at an amount much exceeding any former receipt, from the expectation of the good effect of a reform in the department. The deficiency may be attributed to the circumstance of the new regulations not having been acted upon, so early in the year as intended: the collection has, nevertheless, considerably exceeded that of any former year.

*Benares Revenue, 34,474*l.** A deficiency, under this head, is unusual. A small part is in the customs, which will ever be fluctuating: the whole of the remaining difference was realized before the end of July.

*Land Revenues, 78,988*l.** I have again to regret a disappointment in this important branch of the resources. This small difference, compared with the extensive rental, might not be considered of material consequence, as the collections have only fallen short of the amount realized in the last year, in about two lacs and a half of rupees: but as the defalcation has been, on the average, nearly to the same amount from the year 1795-6, which fell considerably short of 1794-5, in consequence of the recovery of balances in that year, a strict examination into the cause of the deficiency is essential; and the more, when the favourable terms on which the zemindars and renters enjoy their lands, under the permanent settlement, are considered. As there is every reason to believe the provinces to be in a state of increasing prosperity, and as the principal advantages arising from every improvement rest chiefly in the persons holding the lands, it is very fair to expect the rents to be

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paid with punctuality. This subject has engaged the particular attention of the government; and as delay in payment has occurred mostly in some of the larger zemindarries, occasioned, in many instances, from the want of sufficient power for recovering the demands upon the under tenants, regulations have been passed, which I trust will be found fully sufficient to the correction of this growing evil. The present deficiency is in the jumma of the current year; but the collections in the three following months, upon the arrear, were considerable. The receipts on Syer and Abkarree exceeded the estimate.

Judicial Department, Fees, Fines, &c. were below the estimate 10,283*l.* An exact realization of a resource, in itself fluctuating, is not to be looked for; neither is it thought desirable that it should be greatly extended, as the institution of it was chiefly with the view of checking a spirit of litigation, too prevalent among the natives.

Stamp Duties. The deficiency under this head, amounting to 4,924*l.* is to be lamented, as the tax was expressly substituted in lieu of another, much more productive, which was discontinued for reasons given on former occasions. The estimate was only stated at half the amount of the original expectation; measures are, however, taken, that if possible it may be rendered more productive.

The resources in the year 1798-9 have, nevertheless, exceeded those of the preceding year, in the sum of 370,000*l.*; and as the disappointments above noticed are, by no means, such as to be deemed permanent, there is no cause whatever for drawing unfavourable inferences from them.

The charges will be found to be much above the estimate. When this subject was last under consideration it was remarked, that although the expences were rated below those of the year 1797-8, the state of affairs was known to be such, that an increase was to be expected.

The charge estimated to amount to 3,952,847*l.* actually amounted to 4,124,291*l.*; exceeding the estimate by 171,444*l.* In a few instances, the actual charges have fallen short of the estimate, to the amount of 40,506*l.* as follow, viz.

*Charges of the Resident's Office at Lucknow, 10,420*l.** partly from the establishment having been considerably reduced.

*Buildings and Fortifications, 28,876*l.** In some particulars, the estimate, in this instance, has been exceeded; but the difference is principally occasioned by the estimated advances for the repairs of the forts in the Vizier's dominions, in the course of the year, having been over-rated. The only remaining deficiency of charge is

in the salt department ; but so small as not to require notice. The gross amount in which the actual charges have exceeded the estimate is 211,949*l.* The particular heads on which an excess has occurred, requiring remark, are as follow, viz.

Mint Charges, 13,082*l.* from the losses incurred by recoinage being included in the actual accounts which were not in the estimate.

Charges of Benares Residency, 2,170*l.* in the expence of adawluts and in contingencies.

Other Charges of the Civil Department, 9,252*l.* ; in great part from the increased expences at the courts of the different princes, in consequence of the situation of affairs in India, also of temporary embassies. The charges attending the public granaries have likewise undergone some increase.

Judicial Charges, 15,762*l.* chiefly in contingencies and the diet of prisoners.

Military Charges. The increase in this respect forms a very material part of the whole : it amounted to 153,259*l.* and may be accounted for in the additional expence of stores and contingencies of various descriptions, arising from the circumstances of the war. The charges incurred on account of His Majesty's troops, likewise, exceeded the estimate.

Revenue Charges, 9,275*l.* in pensions and charitable allowances, and a variety of contingencies, not necessary to be detailed.

Opium Advances and Charges, 4,995*l.* These are usually in proportion to the quantity manufactured and sold. The estimate of the charges appears to have been taken too low.

Stamp Office Charges, 2,578*l.* The estimate did not calculate on the purchase of paper, which has been again required in this year.

The net deficiency of the revenue amounted to 1,585*l.* ; and the net excess of the charge to 171,444*l.* ; their amount together 173,029*l.* is the deficiency of actual net revenue, on a comparison with the estimate. The total of the actual net revenue of the Presidency of Bengal, in the year 1798-9, was 2,029,324*l.* which is found to exceed the net revenue of the preceding year in the sum of 278,243*l.*

ESTIMATES, 1799-1800.

The prospects of the year 1799-1800 will be found to vary but little in the aggregate from the actual out-turn of the preceding year.

The revenues are estimated to amount to 6,196,733*l.* and the charges to 4,157,553*l.* ; making a net estimated revenue of 2,039,180*l.*

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On a minute examination of the particulars of these estimates it appears, that they are stated at amounts which seem to be suggested from the then situation of affairs. The revenues on the experience of the past years, and the charges accommodated to every probable circumstance, as far as could be foreseen : but notwithstanding the revenues are taken at only 43,118*l.* and the charges at only 33,262*l.* more than by the actual accounts of the last year ; they, in many instances, are found to vary in a much larger amount. In the revenues, more is expected from Benares, by 57,105*l.* ; also from the *land revenues* by 85,473*l.* in consequence of the arrears of last year being likely to be recovered in this. On the other hand, a less receipt is stated from the Vizier, by 13,092*l.* The extra receipts from the Vizier in the last year, have been before brought to the notice of the Committee. Although those of the present are neither of the description, nor quite to the amount then stated, they are still considerable, from his highness having agreed to pay the expence of troops, which it was found necessary to station in his dominions, beyond the number stipulated in the treaty with him. The receipt on the *sales of salt* is stated at exactly the same amount as estimated for the last year. The excess upon that occasion, and the sales already known to have taken place, warrant the expectation, that the estimate will be more than realized. The *sale of opium* is taken at 7,300*l.* less ; but late advices mention, that the revival of this trade has been rapid, and the sales productive beyond former example, as to price ; a considerable excess may therefore be looked for under this head.

As to the charges, under most of the heads a less expence is likely to be incurred ; although their amount, on the whole, is expected to be greater than the last year, from the increase in the *military department*, and in *buildings and fortifications*. In the first, 56,933*l.* from the increase in the native establishments (in great part for the service of Oude), and from contingencies. In the last, 56,716*l.* from the additions and repairs required for the forts and other buildings. A small addition is expected in the charges on the customs ; also in the *advances and charges* on account of *opium* ; in the latter instance amounting to 5,793*l.* which will be accounted for in the receipts.

The whole of the other heads of charge are estimated at a less amount. The *mint* at 17,000*l.* principally from the losses on re-coinage, in the actual accounts of last year, not reckoned upon in the present. *Benares Residency*, 6,810*l.* the establishment of the *adawluts* at Ghazepore being abolished. The other *charges* of the *civil department*, 20,044*l.* The civil charges, in general, are

stated at a less amount, by 45,830*l.* from the causes above-mentioned, and from the effects of retrenchments made by the government. From the latter circumstance, a reduction is looked for in the *judicial* and *revenue* expences. The *advances* and *charges* in the *salt* department, depending on the quantity manufactured, the apparent diminution requires no farther remark. The *charges* of the *stamp-office* appear to be taken according to the establishment; the difference arises from the purchase of paper last year, not stated in this. The result of the comparison is, the net revenue, estimated to be remaining in the year 1799-1800, exceeds that in the preceding year by 9,856*l.*

Although the war was favourably concluded at the time of forming the estimate, I am unwilling to hazard an opinion with respect to the charges; but as to the revenues, I have sanguine hopes, that the estimated accounts will be exceeded, and consequently no fear need be entertained of the net revenue being fully realized.

MADRAS.

The accounts to be next considered are those of the Presidency of Madras, numbered 4, 5, and 6. In order to ascertain the average of the revenues, during the three years 1796-7 to 1798-9, it will be necessary to refer to the three first columns of No. 4. From this it will appear, that excluding the revenues of Ceylon, as in the last view of this subject, the average turns out to be 1,871,452*l.* exceeding that on the accounts drawn one year back, by 46,699*l.* principally from the increased amount of the subsidy from the Nizam. The collections of the land revenues were more favourable in the last year of the account than the preceding. The average was, however, less than that one year back; but it is more than counterbalanced, by the improvement in the produce from the ceded countries.

As the fluctuation in the charges of this Presidency is much greater than at Bengal, the reason for omitting an average of them applies with greater force; I therefore proceed to the comparison of the revenues and charges, as estimated, and according to the actual accounts. This is stated in the account No. 6. The revenues were estimated to amount to 2,118,734*l.* Their actual amount was 2,109,220*l.*; being less than the estimate by 9,514*l.*

This difference may be really termed small, when the accounts of last year are taken into consideration. On that occasion, the deficiency amounted to 400,000*l.* Variations, nevertheless, occur, balancing each other within the amount now stated.

The surplus beyond the estimated receipt was 84,512*l.* and the deficiency below 94,026*l.* On the former, few observations are requisite. The receipts in the *post-office*, or on the *customs*, being necessarily fluctuating, it is difficult to estimate them accurately. The excess is satisfactory, as in the latter case, particularly, they exhibit an increasing trade. The payment of the *subsidy* from the *Nizam* beyond the sum estimated, is a proof of the punctuality of his highness in the fulfilment of the stipulations of his treaty. The greatest excess is in the *revenues* from the *ceded countries*; it amounted to 38,856*l.* and is a signal display of ability and attention in the management of the collections. It is by far the largest amount ever produced, and exceeds the average of the three preceding years more than a lac of pagodas. As the *revenues* of *Ceylon* continued under the management of the Company only a part of the year, it may not be necessary here to notice the excess in the collections.

Of the deficient receipts, one article only calls for particular remark; the collection of the *land revenues*: it fell short of the estimate, 76,452*l.* When the estimate was under consideration, the largeness of the amount was adverted to, and great hopes were expressed, from the talents and assiduity of the collectors. Having examined minutely into the causes of the defalcation, I have great satisfaction in the discovery, that this branch of the service has, on the present occasion, been conducted in a way highly creditable to most of the persons engaged in it, and that the disappointment has chiefly arisen from circumstances against which no effort of human exertion could provide. A most extraordinary draught in the *Jaghire* and in the southern countries, rendered it necessary to issue orders for retaining on hand a quantity of grain to the northward, for the use of the Presidency, during the scarcity. The effect has been, the collections from the *Jaghire* were more than a lac below the estimate, and those from the *Circars* in nearly the sum remaining to be accounted for.

A very considerable excess in the estimated charges of this Presidency was fully expected, when this subject was last under consideration. The situation of affairs, in consequence of the war, was then in view; the sequel has proved the conjecture well founded. The charges, estimated to amount to 2,857,519*l.* actually amounted to 3,543,686*l.* being an increase of 686,167*l.* The gross excess was 706,569*l.* Of this 649,914*l.* were in the expences of the *military department*, for which the only explanation to be expected is, the necessity of the most extensive and energetic exertions, in proportion to the object contended for: of course, all

practicable addition to the force was essentially requisite, as well as the provision of adequate supplies in every department. The success has fully justified the propriety of the measures adopted, and will eventually compensate for the extraordinary disbursement.

The *civil charges* exceeded the estimate 42,809*l.* principally from the losses incurred by exchange, and on the coinage of specie.

The only article to be attended to, in which the charges have fallen short of the estimate, is in the *revenue department*; the amount is 13,762*l.* This is not from a reduction of the expence attending the collections; but in the balance of advances for cultivation, on which, although a larger sum was advanced than estimated, the repayment was so considerable as to make the difference now stated. Adding the deficiency of revenues 9,514*l.* to the excess of the charges, 686,167*l.* the excess of charge, beyond the amount estimated, is 695,681*l.* and the surplus in the actual charges of the year 1798-9 is 1,434,466*l.* which is more than the surplus charge of the preceding year, by 857,642*l.* almost exclusively, in consequence of the expences of the war.

ESTIMATES, 1799-1800.

The prospects of this Presidency, in the year 1799-1800, although the great ratio of expence was necessarily carried some months forward, will, by the happy termination of the war, be found to exhibit a much more favourable appearance in every respect.

The revenues, by the account No. 4, are estimated to amount to 2,507,594*l.* and the charges, by No. 5, to 2,739,230*l.*; being a net charge of 231,636*l.*

The accession of revenue is considerable; nearly 400,000*l.* The gross additional resource, estimated for this year, amounts to 536,821*l.* Of this 410,324*l.* is that derivable from the *conquered countries*, and from the *subsidy* from *Mysore* for part of the year; and upwards of two lacs of pagodas from the *subsidy* from the *Nizam*, this being taken for the whole year. The additional receipt from the *Nabob* of *Arcot* arises from an expected recovery of balances from the *Poligar* countries. The receipts from the *land revenues* are estimated at 12,684*l.*; and from *farms* and *licences* 7,155*l.* more. Of the resources, which are expected to be less than in the last year, the greatest amount is in the *revenues* of *Ceylon* 70,032*l.*, the cause of which has already been explained. The receipt from *Tanjore* is expected to be less by 24,316*l.* a smaller sum being estimated for the revenues of the country. The *revenues* from the *ceded countries* are stated at a less amount, by

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36,154*l.* partly from a caution in calculating on so large a receipt as last year.

The reduction of expence is double the amount stated as the expected accession of revenue, notwithstanding the field and other establishments, consequent to the war, were of necessity continued some months after hostilities had ended. The charges, in general, are taken at a less amount than those incurred the last year, by 804,455*l.* The gross diminution of charge is 910,088*l.* The principal part of this sum is in the *military department*, the difference being 866,532*l.* The *civil charges* are estimated less by 24,686*l.* and the *revenue* by 6,815*l.* from contingencies in the last year, not looked for in the present. No remark on the smaller expences on account of *Ceylon* is necessary, nor on the few heads on which an excess of expence is reckoned upon, to a small amount. The sum estimated for *charges and stipends* in *Mysore*, 96,196*l.* will be more particularly explained, when the actual accounts of the year are brought forward. On the whole, the net charge of this Presidency is estimated to be less in the year 1799-1800 than in the preceding year, by 1,202,830*l.* respecting which it may be observed, that as some disappointment may be expected in the *Circular revenues*, and as it is impossible to calculate with precision on expences at the end, or winding up of a war, it is not safe to hazard an opinion of the complete realization of the estimate; although there is at present no ground for apprehending any considerable difference.

BOMBAY.

The revenues and charges of the Presidency of Bombay are stated in the accounts No. 7, 8, and 9. The average amount of the revenues, calculated on the three years 1796-7 to 1798-9, is 342,904*l.* which exceeds the average on the three years 1795-6 to 1797-8, 32,330*l.* As a great part of this increase is to be attributed to the realization of a subsidy payable from *Travencore*, which appears only in the two last years, it may perhaps afford a more correct view of the proper resource of the Presidency, if an average is shewn, excluding that article. On this principle it is found, that the average of the last three years exceeds that of the accounts one year back by 18,025*l.* which arises from the increased produce of the customs, farms, and licences.

To pursue the plan adopted with the accounts of the other Presidencies, the comparison of the revenues and charges in the year 1798-9, as estimated, and according to the actual accounts, will be next for examination. For this purpose, it is necessary to refer to the account No. 9. The revenues were estimated to amount

to 352,431*l.* their actual amount was 374,586*l.* being more than estimated 22,155*l.*

The only deficient receipt in this year is from the *land revenues*, to the amount of 4,208*l.* The estimate was probably rated too high, from the expectation of the success of the plans for the improvement of the island of Salfette, as it appears the principal part of the difference is in the collections of that island.

The collection of *customs* has again, in this year, been very productive. The estimate was, with proper caution, calculated at an amount rather below the actual produce of the preceding year, which was rapidly increased. The excess amounts to 5,267*l.* The excess on the *farms* and *licenses*, amounting to 8,690*l.* may be partly attributed to their having been disposed of on more advantageous terms; but mostly to the recovery of arrears, in consequence of a decree of the Mayor's Court.

In the *revenues* of the *ceded countries*, the estimate has been exceeded in the sum of 12,405*l.* When the accounts of last year were under consideration, it was remarked, that the small receipt, compared with the estimate, arose from the disturbances in the Malabar province, and other causes, and that the difference might be rather considered a delay of payment, than a loss of revenue: a larger sum was therefore reckoned upon in the estimate of the present year as a recovery of balances. On a near inspection of the accounts it appears, that more than double the amount so estimated has been realized, while the collections on the current jumma have fallen short 16,875*l.* This may, in part, be attributed to the greater payment above noticed, and in part, to the last kist of the year of account falling due at the close of that year: but one lac may be considered as sacrificed or lost, in consequence of the irregularity of the Zamorin in his payments, which induced the Government to take the management of the collections under their own immediate superintendence. This loss will be more than compensated by the system now introduced, which has proved uncommonly successful in the realization of the revenue. The charges, estimated to amount to 1,002,821*l.* actually amounted 1,270,622*l.* being more than estimated 267,801*l.*

From the remarks made when the estimate was under examination, a considerable increase was to be expected. It appears that nearly the whole of the additional actual expence has arisen from the circumstance then alluded to. The gross excess of charge amounted to 287,900*l.*; while the amount in which the actual charges fell short of the estimate was only 20,099*l.* in *buildings and fortifications*, which were deferred, from the extensive demand of

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funds for other purposes. Of the sum in which the estimate was exceeded, 237,816*l.* were in the *military charges*, arising entirely from the war expences not included in the estimate. The additional amount of *civil charges* was 31,104*l.* and was principally occasioned by several extraordinary deputations, &c. in connection with the war. The increased *marine expences* may be attributed to the same cause as the military. The excess in the expence of the *collection* of the *revenues and customs* is chiefly in the new arrangement in the island of Salsette; and the *charges of collection* in the *ceded countries*, from an increase in pensions, and from the charges attending the customs in those districts, being inserted in the actual accounts, but not in the estimate. Deducting the surplus in the revenues, amounting to 22,155*l.* from the excess of the charges, which is 267,801*l.* the net surplus charge is 245,646*l.* and the surplus of the actual charge of this Presidency is 896,036*l.* which exceeds the surplus charge of the year 1797-8 by 294,304*l.*

ESTIMATES, 1799-1800.

The revenues and charges of this Presidency, as estimated for the year 1799-1800, are stated in the last columns of the accounts No. 7 and 8. The revenues are estimated to produce 368,366*l.* and the charges are 1,450,476*l.* being an excess of charge by 1,082,110*l.*

The revenues are expected to be less than in the last year by 6,220*l.* A smaller amount is stated under the *revenues and customs*, but a greater under the *revenues* from the *ceded countries*, partly in the current jumma, and partly in the arrears, from the prospect of more punctual payment of the rents, in consequence of many of the districts being under the immediate management of the Company's servants.

The immense amount at which the charges are estimated, arises from the calculation of the *military expences* being made on the supposition, that the army might continue in the field during the whole of the year. The increase, on this account, is 161,108*l.* The *marine expences* are likewise stated at a greater amount, on the expectation of a larger consumption of stores, and that the charge incurred by the war would continue: the *buildings* and *fortifications* also, from the prospect of carrying into effect what was deferred last year.

The *revenue charges*, and the *charges* in the *ceded countries*, are both expected to be less. On the whole, the excess of the charge is estimated at 179,854*l.* and the net charge now estimated is ex-

pected to be more than the net charge of the year 1798-9 in the sum of 186,074*l*.

From the expected great reduction of the Madras expences, in consequence of the discontinuance of the war establishments, it may be hoped, that as the military expences of this Presidency are calculated on a war establishment for the whole year, the charges will not equal the estimate ; and that, as there is every prospect of the realization of the receipts, the surplus charge will ultimately fall below the amount here stated.

BENCOOLEN, PINANG, &c.

The further demand upon the revenues of India for the expences of the Residency of Fort Marlbro' and the settlements subordinate, also of the establishment at Pinang and St. Helena, will next be stated. As more immediate dependencies upon Bengal, the gross supply is usually taken as the charge. The revenues and expences at Marlbro' will, however, as formerly, be first shewn, as stated in the account No. 10 (a).

On the average of three years, 1796-1797 to 1798-9 inclusive, the revenues amounted to 5,539*l*. and the charges to 113,214*l*. being a net charge of 107,675*l*. The net charge, according to this average, is rather under the estimate for the year 1798-9, but it exceeds the average last drawn. The expences of the Residency in 1798-9, although below the estimate, exceeded that of the year preceding. The increase of the expences from year to year was gradual till the year 1797-8. The occasion was explained to the Committee : and it was hoped, that the additional charge in that year might, in part, have been casual. A further increase, however, appears in 1798-9. As it is far from the intention of the Company to maintain the settlement at so great a charge, measures have been taken to restrain it, if possible, within due bounds. The net expence for the next year is estimated at 84,187.

The supply from Bengal to these several settlements, as above adverted to, was estimated to amount, in the year 1798-9, to 117,160*l*. the actual amount was by No. 18, 120,668, being more than the estimate 3,508*l*. When the estimated supply was brought to the view of the Committee, the idea was held out of its being too low. This small excess scarce requires notice ; and it only remains to be added, that whatever further assistance the Residency of Marlbro' needed for the provision of the investment, was obtained by supplies from Europe. The supplies estimated for the year 1799-1800, by No. 12, amount to 100,920*l*. The part

intended for Marlbro' is less than in former years, probably from the prospect of a reduction of the expences.

GENERAL VIEW.

The general result of the revenues and charges of the several Presidencies in India, in the year 1798-9, is as follows, viz.

Revenues of Bengal by No. 3,	£6,153,615	
Madras	2,109,220	
Bombay	374,586	
Total revenues		£8,637,421
Charges of Bengal by No. 3,	4,124,291	
Madras	3,543,686	
Bombay	1,270,622	
Total charges		8,938,599
Net charge of the three Presidencies		301,178
Add—Supplies from Bengal to Bencoolen, &c. as before stated, by No. 18,		120,668
Total		421,846
Add further—The interest paid on the debts		
At Bengal, by No. 18,	£509,900	
Madras	160,488	
Bombay	57,107	
Total interest paid on debts		727,495
The total		1,149,341
is the deficiency from the territorial revenues. From which is to be deducted the amount produced from the sales of the imports from Europe, as by the account No. 15,		542,941

The difference

606,400

is the amount in which the charges incurred at the several Presidencies, and the interest paid on the debts, have exceeded the resources from the territorial and other revenues, and from the sales of imports.

To supply this deficiency, and to provide funds for the payment of the commercial charges, and for the provision of investments to Europe, was a subject of no small embarrassment to the Governments in India. I will here state the amount advanced on these accounts.

The advances made for the Indian investment, and in aid of that at Canton, with the charges on the commerce of the several Presidencies, in the year 1798-9, were as follows, viz.

In Bengal, by No. 18.	
Charges of the Board of Trade at the Presidency and factories	£94,038
Advances for the investment, with commission ..	633,647
	727,685

Add—Supplies to Canton.....	£149,999	
Total Bengal		877,684

At Madras, by No. 19.

Charges, allowances, &c. in the commercial department.....	60,720	
Advances for the investment, with charges.....	237,140	

	297,860	
Add—Supply to Canton.....	106,097	
Total Madras.....		403,957

At Bombay, by No. 20.

Salaries, &c. in the commercial department.....	44,459	
Advances for the investment.....	142,713	

	187,172	
Add—Supply to Canton.....	1,966	
Total Bombay		189,138

At Bencoolen, by No. 22.

Cargoes.....		36,345
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Total advances for the commerce and charges.....	£1,507,124	
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The advances are 350,000*l.* less than what were estimated. The uncertainty, in this regard, was mentioned when I last addressed the Committee. Indeed it was then doubtful, whether so large a sum as that now stated would be applied; but it is evident, that nothing but extensive relief from Europe, or great assistance from loans, could supply the deficiency in the current demands of the year, and enable the Governments to continue their attention to the provision of investments. By far the greatest aid has been derived from loans, which will appear in the increase of debts, to be hereafter noticed. The assistance from Europe has likewise been considerable. The cargoes actually shipped, including the charges not added to the invoices, by No. 22, amounted to 1,224,504*l.* which, excluding the supply to China, differs but in a small sum from the advances.

The general result of the estimates for the year 1799-1800 is as follows, viz.

Revenues of Bengal, by No. 1,.....	£6,196,733	
Madras	4,.....	2,507,594
Bombay	7,.....	368,366
Total revenues		£9,072,693
Charges of Bengal, by No. 2,.....	4,157,553	
Madras.....	5,.....	2,739,230
Bombay	8,.....	1,450,476
Total charges.....		8,347,259

Net estimated revenue of the three Presidencies.....	£725,434
Deduct—Supplies from Bengal to Bencoolen, by No. 11,	100,920
The remainder.....	624,514
is to be deducted from the interest payable on the debts, by No. 16,.....	915,687
The estimated deficiency from the territorial revenues will then appear to amount to	291,173
and deducted from the amount to be received from the sale of imports by No. 25,.....	624,727

The difference..... £333,554
is the sum expected, in this view, to be applicable to the purposes of commerce, in the year 1799-1800. The investments, in the last year, were much reduced, in consequence of the war. In the present year, it appears, that the Governments have considerably extended them; and the advances, including a supply to Canton, of 224,378*l.* are estimated to amount to 2,330,000*l.*

DEBTS IN INDIA.

The accumulated demands upon the several treasuries in India for the vigorous prosecution of the war, and the attention which it was thought necessary, at the same time, to pay to the provision of investments, rendered it necessary to have recourse to loans in an extensive degree. The effect on a comparison with the accounts of the last year, is as follows, viz. In April 1798, the amount of the debts was 11,032,645*l.*; in April 1799, by No. 16, it was 12,995,526*l.*; being an increase of 1,962,881*l.*

The amount subscribed to the remittance, under the orders of June 1793, was, by the account No. 17, 274,516*l.* which is still less than the subscriptions in the last year, from the causes which were then stated to obstruct the operation of the plan laid down for the liquidation of the Indian debt. The institution of a sinking fund by the Bengal Government, may likewise be supposed to have interfered with this arrangement. In April 1798, the debt bearing interest amounted to 8,933,648*l.*; in April 1799, by No. 16, the amount was 10,190,528*l.*; making an increase of 1,256,880*l.* The annual interest payable on the debt last year was 758,135*l.*; the annual interest on the present debt, by No. 16, is 915,687*l.* Increase of interest, 157,552*l.* The same rate of exchange is used as on former occasions.

ASSETS IN INDIA.

The value of the assets in India, consisting of cash, goods, stores, &c. and of debts owing to the Company, calculated at the like rate of exchange as the debts, amounted, on the 30th April 1798, to

9,922,903*l.* on the 30th April 1799, by No. 13, it amounted to 10,259,107*l.* shewing, in the value of assets, an increase of 336,204*l.* In this year, an increase appears in every item, with the exception of that of the stores, which is less by 175,000*l.* which may be accounted for by the extensive demands for the armies in motion at all the Presidencies. The small addition to the amount of debts due the Company does not require notice; but it will afford satisfaction to discover, that the larger value of all the remaining assets is an actual increase of effective property. Deducting the increased value of the assets, as above, from the increase of debts, which has been shewn to be 1,962,881*l.* the general state of the affairs in India is, on a comparison with the last year, worse by 1,626,677*l.*

HOME ACCOUNTS.

Having completed the examination of the whole of the accounts relating to the affairs abroad, the attention of the Committee is now requested to those relating to the affairs at home. From the observations on the former, and the general results which have been drawn from them, it will, of course, have been discovered that, in a financial point of view, the Governments must have been engaged in serious difficulties, inasmuch as the consignment of investments to Europe could only be accomplished by means of loans, at unfavourable rates of interest. The effect upon the Indian debt, and upon the resources, has been shewn. It now remains to state the subject in a more favourable view, by pointing out the advantages derived from the attention which, under every pressure, has been paid to the commercial interests of the Company. This will be shewn, in the pursuit of the plan now laid down, as to the comparison of the actual accounts with the estimates, to which I shall proceed, after stating the extent of the trade in general, according to the produce, or sale amount, of the goods, as exhibited in the account, No. 25.

The aggregate amount of the sales of goods from India and China, in the year 1799-1800, was 10,160,610*l.* which is less than the sales of the last year in the sum of 154,646*l.* The goods sold on account of the Company were to a less amount by 969,339*l.*; those on account of private traders exceeded the last year in 707,021*l.*; and those termed neutral property, by 107,672*l.* being together an excess of 814,693*l.* making a net diminution in the amount of sales, as above stated, of 154,646*l.* From which it appears, that although the sales of the Company's goods in this year fell so far short of their amount in the last, the trade in general from the East has, in this point of view, experienced a diminution scarcely requiring notice, when the surprizing

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rapid increase in the last year is taken into consideration. But, in fact, this is not to be termed a diminution altogether, because the present account is stated upon different principles. The sales of the last year included the whole of the customs usually chargeable on a part of the goods; whereas, in consequence of an act passed in the last session, commonly called the "warehousing act," the operation of which commenced in September, a large portion of the goods was sold, subject to the payment of the customs by the purchasers on the clearing of them; so that, whatever sum might be ascertained to be payable on this account, would, on the former principle, be an addition to the sales, which would thereby be increased to an amount beyond that now stated.

The difference in the Company's goods is considerable; but so large a sale as that in the last year was not calculated upon. The sales in the present year were estimated to produce 7,863,000*l.* their actual amount was 7,367,727*l.* being less than the estimate 495,273*l.* As the estimate was framed on the principle formerly in practice with regard to the customs, this difference might, in a general way, be accounted for, by the alteration above adverted to; but as, on a closer inspection of the several species of goods disposed of, it appears, that some were sold to an amount exceeding the estimate, and some to an amount much farther below it, it may not be unacceptable to the Committee to be furnished with more precise information.

The advantage to the revenue of the country, and the profit to the Company, from the tea trade, are well known. It is satisfactory to find, that though the sale of this article was estimated little short of the unexampled produce of the last year, the actual disposal of it was near 500,000*l.* more than the estimate, in consequence of an increase both in demand and price. From the same causes, the sale of saltpetre was double the sum estimated; although that was considerably more than what was sold in any former year, except the one immediately preceding. In most of the other articles, disappointment has been experienced, arising, in some instances, from the want of them: but a great part of the difference in the sale amount may be attributed to the alteration in the customs. The greatest defalcation, on the comparison, is in the sugar, and arises almost entirely from the fall in price, when the sudden interruption to the demand occurred, from the immense influx into the foreign markets. It was seriously apprehended, that the interruption experienced in the foreign trade in general, would have been more severely felt by the Company; but the Committee will be gratified by the information, that with the above exception, the only incon-

venience worthy of notice was the necessity of deferring the sales for a short time ; from which the periods of payment were extended, and the payments within the year of course lessened.

The more direct consideration of this part of the subject will bring to the view of the Committee the account No. 23, in which the cash concerns of the Company, in this year, are exhibited ; likewise the estimate of them for the next. The most prominent article on the receipt side is that of the sale of goods. It was estimated to amount to 7,840,528*l.* and actually amounted to 7,209,849*l.* which was less than the estimate by 630,679*l.* The deficiency of the sales certainly affected the receipt in some degree ; but the deferring of the sales, as above noticed, likewise contributed to produce the difference ; for the sum left due at the close of the year was much more than was expected. The charges and profit on private trade were estimated to amount to 120,000*l.* ; the actual amount was 202,969*l.* being more than estimated by 82,969*l.* partly from the large sale, and partly from the settlement of some particular accounts in this year.

Excluding every other article relating to the private trade, as not directly connected with the actual property of the Company, the net actual receipts below the estimated were 548,290*l.* The deficiencies were occasioned by the short receipt on the sales, as already shewn, and by the deferred disposal of the loyalty loan. In a few instances, an excess has occurred : the private trade profits, as above stated, and the payment for saltpetre by the ordnance. The sum derived from the issue of bonds, to the amount of 218,500*l.* was not reckoned upon in the estimate.

On the review of the receipt side, including the balance of cash at the commencement of the year, it appears that the sum of 8,718,159*l.* was at the disposal of the Company. It now remains to investigate its appropriation, as shewn on the payment side of the account. The payments in the course of the year, excluding the private trade, were estimated to amount to 9,797,207*l.* ; the sum actually paid, under the same exclusion, was 8,142,729*l.* making a difference of 1,654,478*l.* This, it is to be observed, is the net difference between the estimated and actual payments. The examination of the detail shews, as usual, that although, on the whole, the expenditure was so considerably below the estimate, on some articles it has been above. Of these, the supply to India and China is first to be noticed : the exports, to the amount of 242,268*l.* ; the payment of bills of exchange 132,463*l.* : but as the liquidation of the Indian debt was 72,408*l.* and the export of bullion 149,817*l.* less than estimated, it will appear, that the whole pay-

ment in aid of India and China exceeded the estimate in only the sum of 152,506*l.* The charges of merchandize exceeded the estimate 116,712*l.* principally from a larger payment on the commission due the China supra cargoes, and from the expence of build-ings ; likewise from a considerable issue of money for the redemption of the land tax on the Company's house and warehouses ; but their property will be benefited in the amount so applied. The small excess on the interest on stock and bonds does not require notice. That occasioned by the payment of bonds at the sales was, in this year, only 8,425*l.* which fully confirms the propriety of the remark on the accounts of the last year : nothing was inserted in the estimate on this account, as then explained. The smallness of the sum, compared with several former years, is in consequence of the improved state of the Company's credit, from which their bonds bear a premium. Of the payments below the estimate, those still requiring notice are, the customs, and freight and demurrage, after allowing for what has been received on the private trade : the former was less by 463,447*l.* chiefly in consequence of the change repeatedly referred to, and the latter by 554,499*l.* from the estimate being calculated on the supposition that more ships would arrive ; or that more would be engaged, than in the event proved to be the case. The postponement of the liquidation of the debt to the Bank, to the amount of 800,000*l.* is the largest sum by far of the deficient or short payments.

On the whole, the actual payments above the estimated amount- ed to 528,916*l.* and those below to 2,183,394*l.* The difference is as before stated. Adjusting this difference with that of the actual receipts below the estimated, the result would appear to be more fa- vourable at the close of the year by 1,106,188*l.* ; but as the pay- ments on account of the private trade were in this year more than the receipts, a further adjustment is necessary. The actual balance of the account will then be better than estimated by 969,310*l.* The general result of the receipt and expenditure in the year 1799- 1800, on the comparison between the estimate and the actual ac- count, may be stated as follows, *viz.* The balance at the close of the year was estimated to be against the Company in the sum of 565,988*l.* but, notwithstanding the deficient receipts from the sales of goods, and notwithstanding the aid afforded to India and China exceeded the estimate, a small issue of bonds, a less payment for customs and freight, and the protraction of the intended payments to the Bank, have so operated, that the actual balance proved to be in favour, to the amount of 403,322*l.* making, as above stated, a ba- lance better than estimated by 969,310*l.*

ESTIMATE, 1800-1801.

The estimate of the receipt and expenditure in the year 1800-1801, contained in the account last referred to, does not seem to demand many remarks. On the receipt side, the amount expected from the sales appears to be the only article requiring particular notice. The receipt from Government for sundry claims, and that on the disposal of the Loyalty Loan, will operate to the reduction of the assets in their respective amounts.

The sales in this year are estimated to produce 6,675,000*l.*; of which may be received, after the close of the year, 1,390,000*l.*; the remainder 5,285,000*l.* with the sum to be received from the sales made previous to the 1st March 1800, amounting to 916,000*l.* will exhibit a total of 6,201,000*l.* as the amount expected to be received in the course of the year, on account of the sales of the Company's goods.

The whole sale is taken at 692,000*l.* less than the actual sale of last year, and the sum estimated to be received, at a million less than the actual receipt of the last year; but it is not to be inferred from thence, that the diminution of the trade will be to the amount first stated, because the full effect of the warehousing act, before referred to, will be found in the amount of the sales of this year; and if the sales are less from the customs being to be paid by the purchasers, those paid by the Company will likewise be diminished, in whatever sum they may amount to. The greater difference in the receipt arises from the large sum that will not fall in course of payment within the year. From the caution with which, on an examination of the particulars, the estimate appears to be calculated, and from the general appearance of the trade, a hope may be indulged, that unless any thing unforeseen should occur, the actual out-turn will be more favourable.

As to the estimated payments, those on account of the charges immediately attaching to the goods, or to the concern in general, appear to be calculated on principles prescribed by each respectively: The customs, of course, at a very small amount compared with former years. The supply to India and China, including the payment of Indian debt, rather exceeds the average of the last three years. The liquidation of the debt to the Bank, postponed the last year, is again estimated to take place in the present.

The general result of the estimate is, that in consequence of the large payments on account of India and China, and of the intention of liquidating the whole of the debt to the Bank, reckoning only on the produce of the sales, on a receipt from Government on sundry claims, and on the disposal of the Loyalty Loan, the balance,

on the 1st March 1801, is expected to be against the Company to the amount of 368,013*l*.

DEBTS AT HOME.

The state of the affairs at home, as to the debts and assets, contrasted with the last year, is next to be considered. First the debts: On the 1st of March 1799, they amounted to 7,103,762*l*. On the 1st March 1800, their amount, by No. 23, was 5,830,222*l*. being a decrease of 1,273,540*l*. In a few instances the debts have increased: the bond debt nearly 200,000*l*. as noticed in the receipts of the year. A larger sum is due on bills of exchange from India, and more is due to the proprietors of private trade. The decrease proceeds from less sums being owing on bills from China, and on the Indian debt. The amount due on freight and demurrage is much smaller than in the last year: but the greatest decrease is in the customs, to the amount of 972,147*l*. This arises from the circumstance repeatedly adverted to, and the computed value of goods will be found to have experienced a considerable reduction in consequence.

ASSETS AT HOME.

The value of the assets at home amounted on the 1st March 1799 to 17,119,628*l*. On the 1st March 1800, by No. 23, it was 16,185,950*l*. being a decrease of 933,678*l*.

On the comparison of the several articles in the detail of this account with those of the preceding year, many and great variations are discovered, which will require more minute explanation than has been generally heretofore thought requisite in this branch of the Company's affairs. The decrease in general has amounted to upwards of three millions and a half, and the increase to more than 2,600,000*l*. Of the former, the smaller balance of cash and bullion, to the amount of 870,000*l*. being sufficiently accounted for by the remarks on the expenditure, it will only remain to state; that the decrease above exhibited has arisen principally from the less value of goods in the warehouse: the difference in this respect is 2,693,000*l*. The quantity of goods on hand at the conclusion of the last year was far beyond the usual proportion, in consequence of the numerous arrivals. The value, in that instance, was, as usual, the computed value, including the customs: in the present, it is calculated exclusive of the customs; to which circumstance a material part of the difference may be attributed, of which the Committee must be aware, from the remarks made on the debts: but by far the greatest part may be accounted for from the disposal of

the goods. The present remains are still more than the general average.

As to the articles on which the increase appears—The amount due on the sales has been adverted to—The large payments for exports will account for their increased value, which, comprising those actually shipped, and those not shipped, was 1,111,000*l.*: but some adjustment will be made on this head in the sequel. The addition to the value of the buildings may readily be accounted for by their extension, also by the redemption of the land tax, as before noticed. The debt stated by the Company to be due to them from Government, for stores and supplies to His Majesty's troops, is more than in the last year by 764,300*l.*; but as this account is subject to further examination, an alteration may probably be hereafter made, as to the ultimate balance.

Taking the debts and assets, as shewn in the account now referred to, the result of the examination of the home concern in this regard is, a decrease in the debts to the amount of 1,273,540*l.*; from which deduct the decrease of the assets as above 933,678*l.*; an improvement will then be exhibited amounting to 339,862*l.*

CHINA AND ST. HELENA.

From the observations on the statements of the last year, the Committee are prepared for the satisfactory information respecting the amelioration of the state of the affairs in China.

By those statements, the balance against the Company at China was 1,073,607*l.* By No. 24 of the present accounts it is 202,022*l.* being an improvement of 853,585*l.*

The view of the affairs at St. Helena cannot be brought down to the latest date for want of the books: as the variations are seldom to a considerable amount, it may not perhaps be reckoned material. The present statement is one year in arrear.

The balance stated last year was to the 30th September 1797; it was in favour in the sum of 54,248*l.* the balance in favour on 30th Sept. 1798 was 62,235*l.* The total improvement at China and St. Helena amounted to 861,572*l.*

GENERAL COMPARATIVE VIEW of the Debts and Assets by the last and present Year's Accounts.

Having stated the results of my examination of the concerns of the Company as to the property, or as to the debts abroad and at home, respectively, I proceed finally to offer a combined view of the whole, from which the Committee will be enabled to ascertain the

actual situation of the affairs in general, in these respects, compared with the last year.

The debts in India have appeared to increase in the sum of 1,962,881*l.*; those at home have decreased 1,273,540*l.*: so that the net increase of debt is 689,341*l.* The assets in India exhibit an increase of 336,204*l.*; those at home have decreased 933,678*l.* The decrease of assets 597,474*l.*; when deducted from the improved situation of China, amounting to 853,585*l.* and of St. Helena to 7,987*l.* together 861,572*l.* will shew the net increase of assets to be 264,098*l.* The difference between this sum and the increase of debts, as above, is 425,243*l.* which is the amount in which the state of the concern, in this view, appears to be worse than at the conclusion of the last year. But the same kind of further investigation has been found necessary in this year as in the last. The Indian stock accounts were closed on the 30th April 1799, and appear to have included a part of the consignments, for which credit is taken in the home assets; as their arrival could not possibly be known at the time of making up the accounts in the latter instance. From this circumstance there will still remain to be added 202,450*l.* The total 627,693*l.* is the amount in which the state of the whole concern appears in a worse point of view than at the conclusion of the last year.

Having accomplished the investigation of the numerous accounts, and, I trust, arranged the whole subject to which they relate, in as clear and intelligible a point of view as its extensive nature would admit; the completion of the plan originally proposed for the consideration of it will only require a few further observations, in the way of recapitulation, in order to lead the attention of the Committee to correct inferences on the general view of this great concern. In so doing, the foreign concern and the home will be placed in two distinct branches; the propriety of which will probably seem obvious, from their different aspect in a financial view. On this principle, the affairs of India will be first attended to. When this subject was last before the House, the distance of the period from the dates of the actual accounts, and the knowledge of events which had occurred since the formation of the estimates for the year 1798-9, enabled me to draw tolerable accurate conjectures, that the charges would much exceed the sum estimated; and my suspicions to that effect were accordingly stated. The result has been as expected; and it appears, that the expences have not only considerably exceeded the estimate, but have likewise been far beyond the ability of the ordinary resources, notwithstanding they were great, and productive

beyond all former precedent. The distinct explanation of every additional charge will have afforded an idea of the cause of the increase; and the remarks on the military charges, particularly where it has mostly fallen, will have shewn, that the enormous expences have been occasioned by the critical situation in which the Governments were placed, which led to the necessity of having recourse to hostilities. The increase of the military expences, for several past years, has often been remarked to the Committee, and the causes have been explained, whether permanent or otherwise. The many important advantages derived from the successful operations of the British arms were likewise detailed. A reasonable hope was entertained, from the expulsion of European rivals, that the Company's power was established upon a basis not soon likely to be disturbed; especially as no means were left untried to convince the native powers of our fixed determination faithfully to adhere to the stipulations of treaties, and to act upon principles directed by moderation and justice. But as it is not my intention at this time to enter at large upon the political relations of the Company, I shall only observe, that the great drain upon the resources of the year in question has been occasioned by the war with the late Nabob, Tippoo Sultan. As the House have already received most ample information with regard to the origin, progress, and conclusion of this war, and have also signified their unanimous approbation of the conduct of those concerned in the direction of it, any further explanation of its grounds is needless; and it will suffice for me to confine my remarks to the past and future effects upon the finances.

The indispensable necessity of every measure to insure success is completely obvious. Although a lavish expenditure, in any event, is always to be guarded against, parsimony, or an ill-judged economy, on an occasion in which it has fully appeared that the British interests in the East were at stake, would have been impolitic in the extreme. Every practicable addition to the effective force was essentially requisite, as well as the most extensive supplies in every department. That the means were proportioned to the end, has been fully proved in the issue. The effect upon the Indian treasuries was such as might naturally be expected. The resources, including the assistance from Europe, were not equal to the demands; and no other mode presented itself to supply the deficiency in this regard, or provide funds, that the trade might not be totally relinquished, but that of loans to a large amount. Having formerly illustrated the prudence and propriety of continuing the investments, under circumstances of such extreme difficulty in raising funds, I shall only now refer to those observations, and to the decided opinion I gave a

short time back as to the expediency of pursuing the same system at all times : but this part of the subject will more properly remain to be considered in connection with the affairs at home.

From the remarks hitherto made, the conclusions, in so far as the finances are concerned, appear truly inauspicious, exhibiting only exhausted treasuries and accumulated debts. I have no small satisfaction in being enabled to observe, that a much more favourable side of the question remains to be stated.

The circumstance of the administration of the whole of the revenues experiencing little further interruption than might have been expected in the time of the most profound peace, and their realization, with but small exception, might, in the first place, be mentioned ; likewise the punctual discharge of the several subsidies by the Princes in alliance with the Company, as affording, particularly in the former instance, a proof of the permanence and stability of the resources : but having more immediately in view the signal benefits obtained from the late events, I shall direct my observations to them. The Governments in India are relieved from the anxieties to which they were perpetually exposed from a powerful and enterprising enemy, whose principles of ambition and inveteracy led him, even during times of apparent peace, and under the most specious declarations of adherence to treaties, to every perfidious attempt to undermine the interests of the Company with their allies, to seduce their own immediate dependants from their allegiance, and to raise formidable combinations for their destruction. The expences incurred from the necessity of being always prepared to resist the attempts of this dangerous neighbour, have been immense. Those incurred by the demolition of his power, and conquest of his dominions, cannot be regretted ; especially when, in addition to the security derived from the removal of a most formidable enemy, other extensive advantages are adverted to. The alarms which have been entertained for the safety of the possessions on the peninsula of India for many years, from this power, in direct and avowed connection with our natural enemies, being removed, and the turbulence of our own immediate tributaries being thereby effectually checked, it is to be expected that the military expences may be much reduced ; from which, with the additional resources obtained from the accession of territory, there is every prospect that, at no distant period, the treasuries will be replenished, the debts diminished, and every effect exhibited in the accounts before the Committee fully repaired.

The facility procured for trade over a great additional tract will tend to promote the commercial interests of the Company, and will open a more extensive market for the manufactures of this country.

As from the general view of the whole situation of the affairs in the East, either as it respects the internal state of the provinces, or the connection with other powers, there is every reason to conclude, that the influence and prosperity of the Company are established upon a permanent basis; the inferences suggested from the mere inspection of the present statements will be materially changed, and the attention will be directed to the advantages which I hope the Committee will admit are most evidently presented.

The home affairs offer a very favourable view, whether their state be considered as directly shewn by the accounts now before the Committee, or by the general completion of the trade. The continuance of the demand for the produce of India fully demonstrates the advantages resulting from the measures adopted for the consignment of investments. The sales for the immediate account of the Company, notwithstanding they fell short of the amount in the preceding year, have been very productive. The debts are below their ordinary level; and the value of the assets being in a far greater proportion above, are proofs of the amended situation of the home concerns. From the produce of the sales, the Company have been enabled to make advances in repayment of the consignments from abroad to a great amount: of these a considerable part has been applied in the export of goods from this country. The reduction of the debts to the Chinese merchants shews, that this valuable branch (the China trade) is again restored to a flourishing state; and the immense sale of the teas furnishes a proof of the propriety of the remarks offered on the subject, on the examination of the accounts of last year.

The final result of the whole is, the financial departments in India have experienced material deterioration from the united pressure of war expences and provision of investments, but not in a degree to afford ground of alarm. A large proportion of the increase of the debt has been the occasion of adding to the assets; from whence the home concern has been considerably enriched. It certainly is of the first importance to devise a method, by which the present burthens on India may be relieved; and I am happy in being enabled to remark, that the means for accomplishing this desirable object are to be found in various ways:—in principles of economy, as to the future expenditure; and in a proper application of the increased resources abroad. An examination must likewise be made, by what mode the home treasury can contribute to the diminution of the foreign debt.

From the circumstances of the war, the establishments have been considerably extended. It will be a point of my diligent and close attention that every practicable reduction shall be carried into effect;

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from which, with the favourable prospect to be indulged from the stability and permanence of the resources, and the unexampled prosperity of the commerce, no apprehensions need be entertained on account of the magnitude of the present debt: I am prepared, indeed, to meet it at fourteen millions. My confidence in the means of retrieving the state of the finances abroad is further strengthened, by reference to the experience of former times. The situation of the Company on the first establishment of the present system, is well known to have been such, that the full extent of their difficulties could not be ascertained till the year 1786. In the year 1797 I took occasion to offer to the Committee a most flattering view of the surprising improvement brought about in the course of ten years. The reduction of the debts, and the increase of the assets, were to an amount exceeding 11,100,000*l.* sterling. It is true, that within that period money had been raised on additional capital, to the amount of 3,740,000*l.*; but it must likewise be taken into consideration, that the remainder may be termed a net improvement, under the events of an Indian war, at one time threatening serious disasters, though finally concluded highly to the advantage of the Company: under the events likewise of the present European war, during four years of the period, which caused enormous additions to the expence of freights, and of the provision of every article of equipment; and occasioned also great expences by several expeditions, from which our rivals were deprived of their possessions in the East. But I have carried the comparison three years further, which will take in a great part of the immense expenditure of the late war with Mysore, and find, that the improvement, during these thirteen years, on the same principle, is 11,880,000*l.* If it be inquired what is the state of the concern between 1796-7, and the date of the present accounts, in which period the extraordinary pressure has been mostly felt, it is satisfactory to discover, that without any aid from increase of capital, the improvement has still been 747,000*l.*

It is fair then to infer, that so far from apprehensions, the most sanguine hopes may be indulged from the present general aspect of the Company's affairs, whether considered politically or commercially; that unless any thing unforeseen should occur, the debts may, in a few years, be reduced to the amount at which it may be prudent to limit them; and that the surplus produce of the revenues may be applied to the purposes intended, when the last arrangement took place.

I beg leave to conclude, by submitting, as usual, the resolutions suggested from the accounts upon the table:

" Resolved, That it appears that the annual revenues of the East-India Company in the provinces of Bengal, Bahar, and Orissa, and from Benares and Oude, under the heads of mint or coinage duties, post-office collections, Benares revenue, Oude subsidy, land revenues, police taxes, customs, sales of salt and opium, and stamp duties, amounted, on the average of three years, 1796-7 to 1798-9, both inclusive, to the sum of 5 crore, 88 lacs, and 875 current rupees.

" That it appears that the annual revenues of the East-India Company in the provinces of Bengal, Bahar, and Orissa, and from Benares and Oude, under the same heads which were estimated for the year 1798-9 to amount to 6 crore, 15 lacs, and 52,008 current rupees, amounted to 6 crore, 15 lacs, and 36,152 current rupees.

" That it appears that the charges incurred by the East-India Company in the provinces of Bengal, Bahar, and Orissa, and in Benares and Oude, under the heads of civil, judicial, military, and marine, the charges of buildings and fortifications, of collecting the revenues and customs, and the advances and charges on account of salt and opium, and the charges of the stamp-office, which were estimated, for the year 1798-9, at 3 crore, 95 lacs, and 28,473 current rupees, amounted to 4 crore, 12 lacs, and 42,912 current rupees.

" That it appears that the annual revenues of the East-India Company in the provinces of Bengal, Bahar, and Orissa, and from Benares and Oude, under the heads of mint or coinage duties, post-office collections, Benares revenue, Oude subsidy, land revenues, police taxes, customs, the receipts from the sales of salt and opium, and the stamp duties for the year 1799-1800, are estimated by the Governor General and Council to amount to the sum of 6 crore, 19 lacs, and 67,332 current rupees.

" That it appears that the charges to be defrayed by the East-India Company in the provinces of Bengal, Bahar, and Orissa, and in Benares and Oude, under the heads of civil, judicial, military, and marine, the charges of buildings and fortifications, of collecting the revenues and customs, and the advances and charges on account of salt and opium, and the charges of the stamp-office, for the year 1799-1800, are estimated, by the Governor General and Council, to amount to the sum of 4 crore, 15 lacs, and 75,534 current rupees.

" That it appears that the annual revenues of the East-India Company at the Presidency of Fort Saint George, and the settlements subordinate thereto, and in the Carnatic and Northern Cir-

cars (exclusive of Ceylon), under the heads of mint or coinage duties, post-office collections, sea and land customs, subsidies from the Nabob of Arcot, the Rajah of Tanjore, and the Nizam, land revenues, and farms and licences, amounted, on an average of three years, 1796-7 to 1798-9, both inclusive, to the sum of 46 lacs and 78,631 pagodas.

“ That it appears that the annual revenues of the East-India Company at the Presidency of Fort Saint George, and the settlements subordinate thereto, and in the Carnatic and Northern Circars, under the heads of mint or coinage duties, post-office collections, sea and land customs, subsidies from the Nabob of Arcot, the Rajah of Tanjore, and the Nizam, land revenues, and farms and licences, which were estimated, for the year 1798-9, to amount to 52 lacs and 96,834 pagodas, amounted to 52 lacs and 73,049 pagodas.

“ That it appears that the charges incurred by the East-India Company at the Presidency of Fort Saint George, and the settlements subordinate thereto, and in the Carnatic and Northern Circars, under the respective heads of post-office, civil, military, and revenue charges, and for buildings and fortifications, which were estimated, for the year 1798-9, to amount to 71 lacs and 43,797 pagodas, amounted to 88 lacs and 59,214 pagodas.

“ That it appears that the annual revenues of the East-India Company at the Presidency of Fort Saint George, and the settlements subordinate thereto, and in the Carnatic and Northern Circars, under the heads aforesaid, for the year 1799-1800, are estimated by the Governor and Council of Madras to amount to 62 lacs and 98,986 pagodas.

“ That it appears that the annual charges to be defrayed by the East-India Company at the Presidency of Fort Saint George, and in the Carnatic and Northern Circars, under the respective heads aforesaid, in the year 1799-1800, are estimated by the Governor and Council of Madras to amount to the sum of 68 lacs and 48,077 pagodas.

“ That it appears that the annual revenues of the East-India Company at the Presidency of Bombay, and the settlements subordinate thereto, amounted on an average of three years, 1796-7 to 1798-9, both inclusive, to the sum of 30 lacs and 48,038 rupees.

“ That it appears that the annual revenues of the East-India Company at the Presidency of Bombay, and the settlements subordinate thereto, which were estimated, for the year 1798-9, to amount to 31 lacs and 32,723 rupees, amounted to 33 lacs and 29,657 rupees,

" That it appears that the charges incurred by the East-India Company at the Presidency of Bombay, and the settlements subordinate thereto, which were estimated, for the year 1798-9, to amount to 89 lacs and 13,970 rupees, amounted to 1 crore, 12 lacs, and 94,425 rupees.

" That it appears that the annual revenues of the East-India Company at the Presidency of Bombay, and the settlements subordinate thereto, for the year 1799-1800, are estimated, by the Governor and Council of Bombay, to amount to 32 lacs and 74,366 rupees.

" That it appears that the annual charges to be defrayed by the East-India Company at the Presidency of Bombay, and the settlements subordinate thereto, in the year 1799-1800, are estimated, by the Governor and Council of Bombay, to amount to 1 crore, 28 lacs, and 93,125 rupees.

" That it appears that the annual amount of the East-India Company at the Residency of Fort Marlborough, and its dependencies, arising from customs, farms, and licences, amounted, on an average of three years, 1796-7 to 1798-9, both inclusive, to 22,156 Spanish dollars.

" That it appears that the debts owing by the East-India Company at the several settlements in India, amounted, on 30th April 1799, to the sum of 12 crore, 99 lacs, and 55,259 current rupees.

" That it appears that the part of the aforesaid debts bearing interest, amounted to 10 crore, 19 lacs, and 5285 current rupees, and that the interest thereon amounted to 91 lacs and 56,876 current rupees.

" That it appears that the value of assets in India, consisting of cash in the treasuries, of bills receivable, of goods provided to be shipped for England, of goods imported to be sold in India, of salt, opium, &c. and of stores for use or sale, amounted, on 30th April 1799 (including current rupees 5 crore, 63 lacs, and 74,667, of debts stated to be owing to the Company there) to 10 crore, 25 lacs, and 91,062 current rupees.

" That it appears that the balance of stock against the East-India Company's commerce in China amounted, at the conclusion of the year 1798-9, to the sum of 220,022l.

" That it appears that the debts owing to the East-India Company in Great Britain (including 725,900l. of debts transferred from India) amounted, on the 1st of March 1800, to 5,830,222l.

" That it appears that the effects of the East-India Company in England, and afloat outward, consisting of annuities, cash in the trea-

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fury, goods sold not paid for, goods unfold, cargoes afloat, and other articles in their commerce, amounted, on 1st March 1800, to the sum of 16,185,950*l*.

“That it appears that the sales of the East-India Company's goods which, in February 1793, were estimated, on an average, to amount to 4,988,300*l*. amounted, in the year 1799-1800, to the sum of 7,367,727*l*.”

[The References to the Appendix in Mr. Secretary DUNDAS's Speeches, Nos. 1, 2, &c. contain Estimates of the various Settlements, which are here omitted.]

Mr. HUSSEY wished to know, whether the right honourable gentleman meant to say, that the Company was better, by the sum he stated, in its affairs both at home and abroad.

Mr. Secretary DUNDAS replied, certainly.

Mr. HUSSEY said, it signified nothing what he or any body else said of the affairs of the Company; for they had stated these affairs themselves; and he maintained, upon that statement it appeared, that, on the affairs at home, the Company, comparing the statement now with the statement twenty years ago, were six millions worse instead of better.

Mr. Secretary DUNDAS said, that this was making no allowance at all for the increase of the wealth of the Company in dead stock in India, as he had already stated, for warehouses, for shipping, for forts, and above all, for territorial revenues, which would amount to many millions sterling; and this was the way to judge of the real state of the affairs of the Company. The truth was, the honourable gentleman knew very well, that the real state of the affairs of the Company was, that of great prosperity.

Mr. HUSSEY said, that the right honourable gentleman knew the real state of the affairs of the Company full as well as he did, and indeed better a great deal; and he knew very well that the difficulty which he had stated had not been removed. That the dead stock and territorial revenue of India were enlarged very much, he was ready to allow; but he would say this, and it was his duty to the Public to say it, if the Company were to break up to-morrow, and to convert all they had into cash both in India and in Europe, and then to make a dividend to the first adventurer, instead of having enough to pay, he believed there would be many millions deficient: he spoke on a comparison of twenty years on their home account, and their own account of affairs. Upon that statement there were six millions *minus*.

The different resolutions were then put and carried; and the House being resumed, the report was ordered to be received tomorrow.

HOUSE OF LORDS.

Thursday, July 24.

The order of the day being read, for taking into consideration the special report made from the Committee yesterday on the Flour Company Bill,

The paragraphs in *The Times* complained of in the Committee were read; and it was moved, "That the said paragraphs contain a breach of the privileges of this House." The same was agreed to.

Ordered, that C. Bell and J. Bonfor do attend this House on Monday next.

Report was made from the Committee to whom His Majesty's message of yesterday, touching temporary accommodations for the use of the House of Lords,—That the Committee had met and considered His Majesty's message, and had examined the plan laid before the House, and had found the same to be perfectly convenient for the temporary accommodations of the House of Lords of the United Parliament, which being agreed to,

Ordered, That an humble Address be presented to His Majesty to return His Majesty the thanks of this House for his most gracious communication of the plan which His Majesty has pleased to direct to be executed for the temporary accommodation of the House of Lords of the United Parliament.

Ordered, that the said Address be presented to His Majesty by the Lords with white staves.

Their Lordships then proceeded to the consideration of the report of the Flour and Bread Company bill.

The Earl of LIVERPOOL rose, he said, to move two or three clauses, with a view to satisfy the minds and quiet the apprehensions of those who seemed to be alarmed at the idea of the Company having so long a term of duration as ten years before they could be dissolved; the first clause therefore that he should move, was a clause to enable His Majesty, with the advice of his Privy Council, to dissolve the said Company at six months notice, whenever it should be made appear to him, that they had abused their powers, or been guilty of practices injurious to the public; and to make room for that clause, he would previously move to leave out all the

words of limitation, and insert the clause he had drawn up in the place of them. Agreed to.

The next clause he should move, went, his Lordship said, to put an end to the jealousy stated to prevail lest the Company should become corn merchants and corn importers, which they themselves professed to have no intention or inclination of doing, and which indeed the very words of the bill would be found not to warrant. As, however, it must be thought right that the Company should have a power to sell their damaged wheat, or wheat under particular circumstances, in the clause that he was about to move the Company were restricted from selling more than one thousand quarters in any one week. His Lordship moved a clause to that effect, which was also agreed to.

The third clause which he meant to introduce was to gratify the wishes of the bakers respecting the standard wheaten bread. His Lordship said, it was a singular circumstance, that it was asserted that such bread was not suited to the taste of this vast metropolis, though, speaking with respect to the common people, it was fitted for individuals from all the different provinces and counties in the kingdom, in many of which no other than household bread was ever tasted. Yet these very individuals, if the fact were true as asserted, changed their taste on coming to town, and nothing, forsooth, but fine white bread could be relished by them, though, according to the opinion of many judges, it was a worse and less wholesome bread than the brown bread. His Lordship said, however, as the assize of bread stood at present, the standard wheaten bread could not be made by the common baker, and therefore the bakers apprehended that the sale of brown bread near their shops would lessen their custom, as it would be substituted in lieu of their fine bread. He owned he thought there was some weight in this apprehension, though the effect of it would be trifling indeed, as he had seen from a variety of calculations upon the subject. He would, however, move a clause, enabling the bakers to make the standard wheaten or household bread in the same manner as the Company were authorised to do by the bill, by enabling the magistrates to set an adequate assize thereon; this would add to the competition; and at the same time that the increased consumption of the household bread would lessen the consumption of the fine bread, as it would go farther; so would it, in a certain proportion, diminish the necessity for so large an importation of foreign wheat, which certainly was an object extremely desirable. Having thus explained the object of the clause, his Lordship moved it, and it was agreed to.

Lord HOBART said, he trusted that the House would give him credit, when he assured them that it was with extreme pain he felt it his duty to oppose any bill or other measure which was honoured with the sanction and support of the noble Lords who had interested themselves so warmly in favour of the present bill. In consequence of the clauses that had been moved that day, he owned some of the objections that he had felt against the bill were done away. Perhaps those interested would have rather had a more limited restriction laid upon the Company in respect to their selling wheat; but he did not himself think that the sale of 50,000 quarters of wheat in a year would be much felt by the corn merchants, as affecting their trade or the price of the market. He therefore concurred in all the clauses that the noble Earl had moved.

The Duke of CLARENCE said, that like the noble Lord, a great deal of the objection he had to the bill was certainly removed by the noble Earl's clauses: still, however, he could not approve of the principle of the bill, which in his opinion was wrong, and so he must continue to consider. At the same time he was ready to assent to the clauses that had been moved, as they provided checks and guards, as far as they went, against abuse.

The Earl of WESTMORLAND said, after the bill had been so fully debated and argued both at the Bar and in the House, he did not mean to trouble their Lordships with going into any detail upon it: he must, however, be permitted to make one or two observations. The first was, that he should have liked the bill better, if it had proceeded in the usual way, to enable His Majesty to grant his royal charter to the Company, if there was to be a corporate Company at all, because in that case it would necessarily have subjected the whole of the subject to the consideration of the law officers of the Crown, and made them responsible, if the charter passed the great seal. He owned, nevertheless, that the clause authorising His Majesty, with the advice of his Privy Council, to dissolve the Company at any time at six months notice, upon any proof of malpractices or abuse of their powers (which he understood had been moved and agreed to before he entered the House), did in some measure cure the objection. The next observation he wished to offer was, that if trade was to be interfered with at all, he had much rather have seen it placed in the hands of His Majesty's Ministers, who were responsible persons, than in a private company; let their intentions be ever so patriotic, ever so upright. With respect to the clause that his noble friend had moved, to allow the Company to sell fifty thousand quarters a year, he certainly thought it was right and necessary to allow the Company to sell their da-

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amaged wheat, as well as such wheat as they might apprehend was in danger of being damaged, because as much disadvantage might result to the public from the Company's not being allowed to dispose of such wheat as if it were really damaged; but whether 50,000 quarters was not too great a latitude he could not say. His Lordship, therefore, concurred in the several clauses of his noble friend.

The Earl of LIVERPOOL said, he wished to say but a very few words; and first, he declared, that after the fullest consideration of the bill in every point of view, he was satisfied that the principle was right; and he trusted, that under the provisions of the bill, and the clauses that he had moved, not only all alarm and apprehension of danger from it would be set at rest, but that the effect of the measure would be found to be what the gentlemen who had projected it sincerely meant it to be, of great use and advantage to the public. He would therefore move, that the bill be read a third time.

The bill was read a third time and was passed, and was ordered to be sent down to the Commons with the amendments.

HOUSE OF COMMONS.

Thursday, July 24.

The order of the day for the third reading of the bill for granting a certain sum of money out of the consolidated fund, and for applying certain sums therein mentioned for the service of the year 1800, being read, and the question put, "That this bill be now read a third time."

Mr. TIERNEY rose to call the attention of the House to one part of this Appropriation Act—Whether the armistice between the Emperor of Germany and the French Republic had or had not taken place, he would not now discuss. His own mind was made up on the probability of the thing. He was satisfied that such an armistice would take place, if it were not already determined on, and that the consequence of it would be a separate peace between the Emperor and the French Republic. The ground on which the money was voted and included in this bill, was, that of a vigorous prosecution of the war. Now, he would admit, for the sake of argument, that such an object was desirable, and he would admit also, for the sake of argument, that the voting of these two millions of money was the best step which could be taken, on the part of this

country, either for the purpose of carrying on the war, or a negotiation for peace: having admitted these two broad points for the sake of argument, he apprehended he had admitted as much as any the most sanguine supporters of the war could wish; but he must then lay in his claim to a right to call on the British House of Commons, to guard against sending any of the money of this country away after the Emperor shall have concluded a peace with the French Republic. He said this after much reflection on the present posture of the affairs of the Continent. The Emperor's present engagement with us would expire in February next—but few months of an active campaign could be expected on the part of Austria, if any was to take place, and the remaining time might be employed in a negotiation, under an armistice; and at the end of this engagement between the Emperor and us, which would be in February 1801, we might have to enter into another engagement with his Imperial Majesty. To guard against any inconveniences which might arise to us by his imperial Majesty concluding a peace without us, and taking our money after having so concluded, he had a proposition to make, and it was in these words:—"Provided always, that no sum or sums of money shall, or may be remitted to his Majesty the Emperor, by way of loan, or advance, from and after the signing of a separate treaty of peace between the Emperor and the French Republic." To this he did not see there could be any objection, unless Ministers would say, "at all events two millions of money shall be sent to the Emperor of Germany." By this proposition nothing was said for or against the continuance of the war, nothing for or against a negotiation for peace; all these points would be left where they are at present; all he asked was, that if the Emperor should, from imperious necessity, (as he might,) feel himself bound to negotiate for peace, and to conclude it, that in such a case England, after being deserted by her allies, should be allowed to save her money. Indeed, that such an event as that of the Emperor making peace without consulting us, should take place, would be nothing extraordinary when it happened; and Ministers themselves hardly regarded him as an ally at all last year; for the King's speech, the last session of Parliament, spoke of the magnanimous Emperor Paul as the grand ally, and there were a few epithets applied to the Archduke Charles, allowing him to be an able Commander; and that was all the notice that was taken of Austria. Now he did not ask Government to abandon any plan which might be suggested by their vigorous understandings; but only that they might have the decency to keep the money of England after the Emperor shall have made peace. In truth, all the money sent to

the Emperor he considered as lost, for he never repaid any of it, nor ever would ; no, not so much as the interest of it ; nay, the case did not stop here, for of the last loan, the sum of 1,162,000*l.* he verily believed the Emperor would not so much as acknowledge it as a loan ; if he did, it would be of little use ; there would then be indeed interest upon it, but the Emperor never paid any. Under these impressions, he felt himself bound to move, that in sect. 22 of this bill, there be inserted the following words, " Provided always that no sum or sums of money, shall, or may be remitted to his Majesty the Emperor, by way of loan or advance, from and after the signing of a separate treaty of peace between the Emperor and the French Republic."

The amendment being put,

Mr. Secretary DUNDAS said, he should not now discuss at large the question whether the subsidies granted by this country were wisely or unwisely granted ; it was unnecessary to do so ; but whenever that question came to be discussed, he should be perfectly ready to maintain this proposition, " that this country has been a gainer by all the subsidies it has granted to foreign powers."—Notwithstanding any objections that had been made to it, that was an opinion which he was perfectly ready to maintain. That was not now, however, before the House ; and the motion now was, a mere request to the House, to direct that no money should be sent to the Emperor after his signing a separate peace. To this motion his objection was this:—the Parliament had recorded a treaty for allowing to his Imperial Majesty a certain pecuniary aid ; they had trusted the Executive Government with the management of that matter, as well as others that belonged to the Executive Government to manage ; and no objection was made to the conduct of the affairs of state in this country. Under these circumstances it was for the House to say, whether there was any necessity for passing a prohibitory measure like this ? He had no objection to the honourable gentleman's making this motion ; feeling as he did on the conduct of public affairs, he was perfectly right in this motion : he had repeatedly said, he had no confidence in His Majesty's Ministers, he thought the conduct of the Executive Government wrong ; and therefore he did right, when he did any thing that tended to prohibiting Ministers from pursuing such measures as they do pursue : this motion was with that view, and it was perfectly right upon the principle of the honourable mover of it ; but although it was right upon the principle of its mover, yet he must excuse him, if he said that the mover of this motion was not the sort of person whom he was endeavouring to convince ; his hope was in the sense

and conviction of the House, the majority of which had, upon every occasion that called for it, expressly approved of the conduct of His Majesty's Ministers in the course of the present war; and with the House the question would be this:—Whether they saw any necessity, at this moment, for interfering with the functions of Executive Government, and, by a parliamentary interference, prohibiting them from doing an act, which, whether they intended it or not, would be a parliamentary declaration, that the Executive Government was no longer to be trusted? The honourable gentleman did very right in moving this upon his principle, namely, "That His Majesty's Ministers deserved no longer to be trusted with the management of public affairs;" but it was for the House to consider whether the assumption of the honourable gentleman was a correct one or not; and they would consider, whether there was any reason for coming now to a parliamentary declaration, that Government (responsible as all its Ministers are for every thing they do) shall no longer be trusted with that which most unquestionably belongs to the Executive Government to manage. It was for the House to consider whether it would, by anticipation, declare (for that they must come to before they could assent to this motion) that His Majesty's Ministers would misuse the power proposed to be given to them by this bill; and therefore there shall be a parliamentary declaration, not of what they shall do, but of what they shall not do. Now he trusted the House were not prepared to agree to any such restriction; and therefore would not adopt this amendment.

Mr. JONES said: "The right honourable Secretary of State has alleged that we have been gainers by the allies. Sir, the fact stands thus: We have subsidized nearly all the Continent; we have taken into our pay Hungarians, Hessians, Germans, Condeans, and paid and recruited all the subscription conscripts and renegado convicts of the world. As to the Emperor in question, he has taken our millions, and (as I have often observed) paid neither principal nor interest. Surely, Sir, if he was fighting in a common cause, as it is called, there might be some satisfaction in advancing him the money in question; but no money ought to be sent out of the country in the case of an armistice being concluded, or a separate peace agreed upon. The amendment of my honourable friend (Mr. Tierney) goes to that. Sir, it is most irksome to me to resist the measures of His Majesty's Ministers, day after day; but, Sir, their (what I cannot help calling) new career ought to be put a stop to; and, Sir, it requires the patience of Job to allow them to proceed as they do. Sir, the gentlemen opposite to me smile; but I repeat that the people of England have the patience of Job to bear the con-

duct of His Majesty's Ministers in their mad and desperate perseverance in the present war. Sir, this money, as I said before, will serve only as a temporary ransom for the proud and Imperial capital of Vienna; and notwithstanding those gentlemen smiled at my quotation from Juvenal, as to Vienna, on a former day, I now take the opportunity of repeating, that if peace is not speedily concluded Bonaparte will inevitably get there.

"If the Ministers of this country had not sent what they term *"a wise and dignified answer"* to the offers of peace proposed by Bonaparte, we should not now be debating on this loan bill. Who is there in this unfortunate country that does not suffer in the most pungent manner by the continuance of this war, if we except loan-jobbers and contractors, whose palaces (to use the words of a celebrated writer) *"rise like exhalations,"* while the mansions of the middle order of the gentry of England are barred up and shut: the people of this country are no more—the old hospitality of Englishmen is greatly crippled; and if the war goes on much longer, must be entirely annihilated.

"Sir, Ministers know not the peril in which they place this country by their present proceedings. Its fate seems to hang only by a single thread; and if they persevere in their ruinous and expensive conduct, it must perish. Sir, my efforts to obtain peace, humble as they were, have been treated with scorn and contumacy; but, speaking of myself, I must say, truth will tell first or last: it is an old but a well proved adage—*"Magna est veritas, et prevalebit."* And, Sir, unsuccessful as I may have been, I will nevertheless persevere: and if a peace is not brought about before the next session of Parliament (it is certainly now too late to notice the business farther in the present session) I shall take an opportunity of moving on an early day an address to His Majesty, expressive of the critical situation of the country; but I hope, in God's name, the conclusion of a peace—I mean a safe and honourable peace—will preclude my intentions.

Colonel ELFORD, in noticing an expression of Mr. Jones relative to the *People*, said that nothing could be more plain than that the people were extremely satisfied with the measures of Administration, for they found no fault with them.

Mr. MARTIN replied, that the people at large had no opportunity of expressing their sentiments; and, from the temper of that House, they had no encouragement to offer their sentiments.

Sir GILBERT HEATHCOTE said, that as Parliament had thought fit to grant two millions to the Emperor, he was clearly of

opinion that Ministers should have the full and free disposal of it in all events. If, as the right honourable Secretary observed, they made an improper use of it, they were responsible. When Parliament met again, any gentleman might call them to account for their conduct. Even if an armistice was concluded, as had been stated, this sum of money might enable the Emperor to have us, his ally, made a party in any treaty of peace he was about to negotiate. He therefore was against the amendment.

The ATTORNEY GENERAL denied that there was any law to prevent the people from meeting in an orderly manner, and laying their wishes before Parliament. This species of language was frequently thrown out by gentlemen in opposition, who felt so very sore if a strong allusion was made to any of themselves, but who never spared offensive language towards others. The manner in which this amendment was brought forward, and the expressions which accompanied it, he considered to be highly offensive to the Government, and an aspersion on our ally, as if one did not deserve confidence, and the other was not to be trusted. To introduce such words into the bill would be inconsistent with the respect due to our ally; and if any caution was necessary, the House and the Public had better confide in the prudence of His Majesty's Ministers.

Mr. MARTIN said, he had spoken the genuine sentiments of his heart; and if the right honourable and learned gentleman wished to take down his words, he was welcome to do so, for he would live and die by them.

Mr. TIERNEY said, however deficient the learned gentleman might think him in point of urbanity, he was not conscious of having employed any coarse language in his opening. All he wished to express was, that the Emperor, whatever his disposition may be, might be so far pressed by the successes of the enemy as to find peace a duty to his own subjects, paramount to the obligations of any treaty whatever. If, however, the right honourable gentleman (Mr. Dundas) would promise, that no money should be sent to the Emperor under the circumstances alluded to, he should give up his motion; otherwise he should take the sense of the House upon it.

Mr. ROBSON asked what was intended by the act of the 36th of his present Majesty? If it was intended to be put in execution, it certainly threw great difficulties in the way of public meetings. Having lately had occasion to call a meeting in the parish of St. Mary-le-bone; he had received a letter from a magistrate of the

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county, advising him by no means to hold such a meeting, as in his opinion it was illegal.

A division took place—For the amendment, 4; against it, 38. Majority, 34.

The bill was then read a third time and passed.

Mr. ROBSON afterwards took occasion to make some observations upon the neglect of Administration in not sending the Russians home sooner, which it was their duty to have done; by which neglect this country had been burthened with the payment of 40,000*l.* per month; which burthen was to continue till the troops arrived in their own country, and by the treaty two months after. We had also been lately repairing their ships of war in this country, and feeding and supporting at least 20,000 foreigners in this time of unexampled scarcity.

Mr. TIERNEY observed, that this was the day on which the Chancellor of the Exchequer had expressed his intention of stating his determination with regard to the necessity of addressing the House for the purpose of answering the subject matter of the resolutions relative to the finances of the country, which he had had the honour of presenting a few days ago. As the right honourable gentlemen was not in his place, he certainly should be extremely sorry to attempt bringing the business forward: nor was he at all aware how, upon such dry matters of fact as his resolutions contained, any observations, either from himself or the Chancellor of the Exchequer, could be necessary. The plan that had been adopted last year, upon his presenting a similar string of resolutions, was that of moving the previous question upon them; after which the Chancellor of the Exchequer moved his set of resolutions, perhaps more detailed, from his possessing more ample sources of information upon the subject; but certainly not contradicting the statement in the resolutions he had presented. They could not differ materially, because the accounts on which both were founded were precisely the same. Whether it was intended to adopt the same plan this year as last, he knew not; it was totally immaterial to him; at the same time he did not wish to enter at all into the subject in the absence of the Chancellor of the Exchequer. If any honourable gentleman thought proper to move the previous question on his resolutions, and to present those intended to be submitted by the Chancellor of the Exchequer, he could have no objection.

Mr. ROSE agreed with the honourable gentleman, that it would be improper to bring on a discussion of such a question as this in the absence of the Chancellor of the Exchequer. He therefore thought the best way would be to adjourn the debate to a future day.

Mr. LONG then presented the counter-resolutions of the Chancellor of the Exchequer on this subject, and the debate thereon was adjourned to Monday.

Mr. Secretary DUNDAS reported to the House, that their address on Tuesday last (that His Majesty would be graciously pleased to give directions that an inquiry be made into the state and management of His Majesty's prison in Cold Bath Fields) had been presented to His Majesty; and that His Majesty had commanded him to acquaint this House, that he will give directions as desired by the said address.

Lord HAWKESBURY moved, "That an humble address be presented to His Majesty, to inform His Majesty that a plan having been agreed upon for the enlargement of that House, in order to accommodate the Members of the United Parliament, the House beg leave to assure His Majesty, that, if he would be graciously pleased to give directions for carrying such plan into execution, this House would defray the necessary expence thereof."—Agreed to.

Friday, July 25.

A message from the Lords informed the House, that their Lordships had agreed to the Flour and Bread Manufactory Incorporation Bill, with some amendments, to which they begged the concurrence of the House; and a second message, that their Lordships had agreed to the King's Property Bill, without any amendment.

The bill for raising 3,000,000*l.* on exchequer bills, the bill for raising other 3,000,000*l.* on exchequer bills, and the bill for the further issue of 3,500,000*l.* to be raised in the same manner, were respectively read a third time and passed.

Lord HAWKESBURY then moved, "That the House do now take into consideration the amendments made by the Lords in the bill for incorporating certain persons, to be called the London Company for Manufacturing of Flour, Meal, and Bread."

Mr. NICHOLLS objected to the precipitancy of the step proposed by the noble Lord. Some time, he said, should surely be given to consider the nature of these amendments; and Monday next was as early a day as they could be discussed with propriety.

Lord HAWKESBURY said, he was conscious that it was rather irregular to make that motion so soon after the message had been received from the Lords. It had rather been his wish, therefore, that the discussion should be deferred. But he understood that it would be more convenient for the opposers of the bill, that they should have an opportunity of delivering their sentiments that night; and

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he was confident there was nothing in the amendments that had not merely to be understood to be approved of.

The SPEAKER said, he thought it right to observe, that for some years past it had been usual to discourage as much as possible the practice of taking amendments made upon a bill by the Lords into consideration the same night on which they were communicated. There was no rule nor law, nor standing order upon the subject; but this conduct was evidently sanctioned by reason and productive of convenience. An opportunity was thus afforded to members to reflect deliberately upon the alterations that bills underwent in the other House; and he himself had it in his power to ascertain with accuracy whether they encroached upon the privileges of the Commons. The chief thing for deliberation in the present case was, when the amendments upon this bill were likely to be most fully considered. If the best opportunity of discussion would be afforded to day, he thought the House ought to enter upon it then; if not, that they should interpose some delay. They should be regulated by convenience.

The MASTER OF THE ROLLS said, he could see no objection to enter upon the consideration of the amendments then; particularly as there was no necessity for deciding upon them, even in that case, till a future day. That decision was likely to be the more judicious, from the House being previously master of their nature and tendency.

Mr. BAKER said, he disapproved of the principle of the bill, and wished to see it thrown out. He intended to make a motion to that effect; but was not very sure of the manner in which he ought to proceed.

The SPEAKER said, he believed he could satisfy the doubts of the honourable member. When it was moved that the amendments be read a second time, the honourable member might move that they be read a second time this day three months.

The motion of Lord Hawkesbury was then put and carried; and the amendments were read by the clerk: First, limiting the Company to the sale of 1000 quarters of unbaked wheat per week; secondly, to enable the magistrates to regulate the assize of brown bread; and thirdly, to empower His Majesty and the Privy Council to dissolve the Company, on giving it six months notice.

On the motion that the amendments be now read a second time,

Mr. BAKER said, he must object to this, as he highly disapproved of the bill altogether, and was convinced that it could not be made expedient by these, nor any other amendments which could

possibly be devised. He allowed, that it was now less objectionable than when it was sent up to the Lords; but still it ought by no means to be passed into a law. Mr. Baker then adverted to the probable operation of the proposed amendments, and complained that the clause empowering the King to dissolve the Company whenever he shall think fit, had been introduced without the privity of the proprietors, and might prove highly injurious to them. His fundamental objection to the bill was, that it went unnecessarily to erect a dangerous corporation. That objection was not, and could not possibly be obviated; he therefore moved, "That the word *now* be left out, for the purpose of inserting in its stead, *this day three months*."

Lord HAWKESBURY said, that the principle of utility being admitted, he would notice the amendments made by the Lords, which he entered upon. The amendment permitting the Company's trading in wheat, under certain conditions, was such as met his approbation; and when it was suggested in the Committee to introduce a clause prohibiting the Company from dealing in wheat, he said he would object to the Company's being hindered from trading in wheat, as cases might arise where it would become expedient, and absolutely necessary, that they should be allowed this privilege, as in a case he would put of wheat being damaged, &c. The limitation introduced by their Lordships had also met with his approbation, for he thought the Company should be limited, and that the King in Council should have the power of dissolving them on any abuse of the trust reposed in them. These were salutary checks upon their conduct, and nothing, he thought, could operate more effectually, and more impressively, than the idea, that under any abuse of such a trust their charter would be taken from them. These were so many securities given to the Public for the good conduct of that Company; and such as, operating to the ends that were aimed at by them, he thought the Public would be most considerably benefited by the institution. The grounds on which it stood were the experiments already made, which did produce, as was proved, much good, and no harm; and though they were not legislatively incorporated into that society (the Albion Mills Company), yet the experiments of their trade and institution proved incontrovertibly, that such, at least, may be attempted. On such grounds he saw no possible or rational objection to the measure; and for that reason gave his vote for the amendments.

Mr. TIERNEY allowed, with the noble Lord, that there was not a subject of greater delicacy than the sale of flour and bread.

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From that conviction, he said, he felt himself called upon to support the motion of his honourable friend. He did not wish to see a measure of this nature pass at the very end of the session, when almost all the Members had left town, supposing that there was nothing but routine business to be transacted. He never yet had heard a satisfactory answer to the question he had often put, why was not this bill much earlier introduced? This very circumstance was, of itself, sufficient to shew that the bill should not now pass; but there were many other incontrovertible arguments against it.—The measure was completely novel; and he defied the noble Lord, or any of his friends, to point out an instance in which acts of this kind were not to enable His Majesty to grant a charter to those who petitioned for it. This custom was excellent; for then the claims of the petitioners were heard by the law officers of the Crown; and all who were interested had an opportunity of fully explaining and supporting their rights. Above all, His Majesty's advisers were responsible to Parliament for the counsel which they gave him. He hoped, therefore, the House would pause before they sanctioned an innovation upon established usage, and an innovation so dangerous. He was glad to see the bill come back from the Lords, as he could not forget how indelicately this delicate measure had been carried. The majority in its favour consisted of four, and four were afterwards struck off of those who had voted for a particular clause in it; so that to suppose that it really was passed, it was necessary to suppose that a person was capable of voting for the whole of the bill who could not vote for part of its contents; a supposition which he could scarcely imagine to be just. Of the manner in which it had passed in the other House it would be irregular in him to speak, and he was bound to believe that it was carried by a vast majority. The reception it had met with in that House, however, was enough to shew that it should be dropped, and any other bill would have been dropped on that account. "The noble Lord shakes his head," said Mr. Tierney; "but I defy him to point me out an instance to the contrary. It has ever been reckoned a point of candour not to push a measure which is generally odious. The Lords have read us a lesson of delicacy. The noble Lord carried up to their bar a bill, by which the Commons were made to say, that, upon certain information which they had received of mal-practices among the millers and bakers, they were of opinion a corporation should be erected for the manufacturing of flour and bread, without check, restraint, or controul, and should be continued, whatever its behaviour, for the space of ten whole years. Their Lordships, how-

ever, are of a different opinion, and the company they vote for establishing may not last ten minutes. His Majesty, with the advice of his Privy Council, may dissolve them, without any proof of abuse or misconduct, or ill success being laid before him. This power is unprecedented; and, consistently with custom, and consistently with reason, Parliament should have been enabled to withdraw the charter when it should seem good so to do; not the King in Council." Mr. Tierney here adverted to a statute passed in the 6th of Geo. I. which enabled His Majesty to grant a charter to an insurance company, recognized the sole right of granting charters to reside in the Crown, and enacted that this particular charter should expire three years after the Speaker declaring the vote for terminating it, and posting up a notice to this effect upon the Royal Exchange. How much dirt was the House now drawn through? After unwarrantably encroaching upon the prerogative of the Crown, their own privileges were invaded, and they were left without the least controul over this company, which they had sacrificed so much to erect. He hoped the farther consideration of this amendment would be deferred till this day three months. If it was not, he should think himself bound to move an amendment upon that of the Lords, to restore to Parliament the power of which it was so unjustly deprived. The unfortunate men who were about to be ruined by the vote of these four philanthropists, would thus have an opportunity of shewing, next session of Parliament, the manner in which the bill affected them, and of obtaining redress for their grievances. The dignity of the House was at stake, and they would not surely submit to this robbery of their privileges; although indeed they deserved it, after what they themselves had attempted. He still hoped, however, that the measure would be abandoned altogether. No ground whatever had been laid to shew the necessity for it; and he still maintained that it was merely a speculation of individuals. The names mentioned in the bill were highly respectable; he knew several of those interested in it, and was sure that they were actuated by the most laudable motives, and induced to make this experiment solely with a view to the good of the public. "But there are many engaged in the business," said he, "whom I do not know; and I verily believe that a spirit of jobbing is at the bottom of it. What advantage could a jobber desire which he will not here enjoy? He enters into the most dangerous speculations, by which he may realize a fortune, and cannot lose more than his original share. In carrying on his individual trade, his opportunities of taking an unfair advantage must

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he incalculable. If he is a manager of the company, he will know exactly when its sales are to take place, and when it is to purchase, and will enjoy many opportunities of forming a collusion with its agents. Shall such a ground for mal-practices be sanctioned by this House? Unless private dealers are strictly precluded from entering the company, it will be utterly impossible to prevent the grossest abuse. Monopolizing, speculation, gambling, and corruption will be produced by that which was meant to produce abundance, and to promote the comfort and happiness of the people."

Mr. Tierney then adverted to the evidence which had been laid before the two select committees in the early part of the session. — That, though probably essential, had never been reported; and the measure ought by no means to be finally sanctioned till it was regularly before the House. Again, he should like to know why the limitation clause appeared necessary to the Lords? It would be irregular in him to say that their Lordships had passed it without reason, or to say that they were possessed of superior wisdom and intelligence. He was, therefore, bound to suppose that fresh evidence had been laid before them to which this House was a stranger; and in that case it certainly would be proper to wait till by a messenger they had requested a copy of that evidence. The moment at which the bill was to be passed should be maturely considered. The scarcity was severe. People were alive to every thing that was said about corn, and the multitude listened with eagerness to every plan which promised to relieve their necessities. It was no wonder, therefore, that out of doors many approved of the bill; but it was *their* duty to think of its consequences, and not to be led away by vulgar impressions. They should pause before they irritated a large body of useful and respectable men, upon whom depended the sustenance of the metropolis. They should recollect, that the market was falling, and that the millers must work with great disadvantage. Upon a moderate calculation, three weeks must intervene between the time when wheat is bought, and when it can be sold again as flour. The only thing that induced them to carry on this losing trade was the hope of better times; but would they continue thus to work at a loss, when they were to be deprived of a great part of their indemnification? Was this the way to feed the poor, and to lessen the scarcity of the metropolis? The millers had been accused of using inflammatory language. He had read the most of their publications, but could find no sentiment or expression in any of them which deserved the epithet of inflammatory. They spoke with warmth to be sure; but who could be cool when he believed that his rights were about to be violated, and unmerited ruin was

impending? Mr. Tierney continued for some time in a strain of panegyric upon the millers, and in pointing out the injuries they would sustain. It was not the opposers of the bill, however, he continued, whom he pitied the most. The greatest sufferers would be the little millers, those who by industry and exertion were barely able to earn a subsistence. Upon these the supply of the metropolis in a considerable degree depended, and to these the bill would prove a death-warrant. "If the bill, though injurious to individuals," said Mr. Tierney, "would be advantageous to the public, it ought no doubt to be passed; but the individual sufferers should be amply indemnified. If you take away from these men one-eighth of their work, and make them no compensation, you do them the greatest injustice. When it was determined to establish wet docks at Wapping, the watermen, lightermen, and wharfingers, were all provided for, who would otherwise have been thrown out of employment. What crime have these poor millers committed, that they are not entitled to similar indulgence. It is said, that this company will counteract an unlawful combination which now exists among the millers. Of such a combination no proof has been adduced; and will you upon hearsay damnify to such an extent so numerous a class of the community? But is the tendency of the bill to destroy combination? Will it not, on the contrary, encourage and increase it? May not the great millers conspire with the heads of this new company, and those prove the only victims who were the check upon combination and monopoly? They would not be contented with such a paltry gain as ten per cent. ! But they will disregard their dividend, and only look to the encouragement and profits of their private trade. It is not at all improbable that they may become more formidable than ever. If the object of the bill had been to encourage monopoly, the wit of man could not have framed one better calculated to obtain it. For gentlemen to pretend that we have any security from the particular provisions of the bill, is altogether absurd. The principle of the bill is so bad, that it admits of no modifications." Mr. Tierney then proceeded to shew that the millers opposed the bill not from any dread of competition; they were willing, he said, to enter into a fair competition: it already existed, but it would cease upon the passing of this bill. The miller might say, "The subsistence of my family, my children's bread, my all is at stake. You can lose at the very utmost but 1000l. ; you therefore can engage in speculations, and follow a course which for me to attempt would be the height of madness and injustice." Although the company should succeed, it would be no proof that any improper practices had formerly prevailed; but would merely shew that a joint-stock com-

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pany can trade to greater advantage than any individual. He then reverted to his argument about the unconstitutional manner in which this charter was to be obtained. Why did they not apply to the Attorney and Solicitor General, if they were conscious that their claims were just? The mode of their procedure was a confession of the contrary. He did not object to the amount of their stock; he did not preclude them from having a capital of 500,000*l.* instead of 150,000*l.*; but he objected to their procuring their charter unconstitutionally, unfairly, and by stealth. To gratify these individuals, the Legislature was about to ruin a meritorious set of men, and to establish a monopoly till it shall seem good to the Privy Council to abolish it. He did not mean to throw blame upon those who more immediately advise His Majesty, or to talk disrespectfully of them; but it ought not to be forgotten, that a noble Lord, whose opinion in these matters has very great weight, had repeatedly declared that the bill appeared to him most expedient and unexceptionable. Yet the opinion of this Council, thus influenced, was the only security the country would have against inveterate abuse.

Upon these grounds he trusted the House would pause, and forbear, from delicacy, prudence, and every good principle, from proceeding farther with the bill in the present session. He hoped they would afford the advocates for the bill an opportunity of making good their charges against those whose ruin they seek, and the proof of whose gross misconduct could alone give a colour of plausibility to the measure. Mr. Tierney then took a more particular view of the amendments, and shewed that they themselves stood in need of amendment. He more particularly disapproved of the clause which empowers the company to sell 50,000 sacks of flour per annum. In times of plenty, he said, when great quantities of flour were sent to London from a distance, they would thus have it in their power to buy up one-fifth of the little wheat which is then in the market, and not less than one-half of the whole when the quantity was considered that they were allowed to manufacture into bread. Yet this bill was professedly intended to discourage combination! The clause with regard to the assize of bread could not pass as it now stood. He was sure that the Court of Aldermen would not submit to the task which it imposed upon them. Delay was necessary, that that and other parts of the bill might be revised and corrected. As he disapproved of the bill *in toto*, he could give his opinion as well now as afterwards; but for the sake of others who thought otherwise, the consideration of the amendments should certainly be deferred. No harm could possibly result from delay; and if the

plan was good, it might be adopted with equal advantage at a subsequent period. By the blessing of God, we had the agreeable prospect of an early and abundant harvest; scarcity would probably soon disappear, and we should be regularly supplied by the millers, as heretofore, with the greatest abundance. What reason could possibly be urged for hurry and precipitancy? Did not this eagerness to get the bill passed betray a consciousness that it would not stand cool and dispassionate examination? Did it not betray a wish to betray the Legislature into an act which they were likely afterwards to repent? The promoters of the bill were conscious, that in the course of the summer their assertions would be proved to be false, and their reasonings fallacious. He should be sorry to embarrass public business, or to occasion the least inconvenience to His Majesty's Ministers; but he was confident he should do neither, by giving his vote, as he now did for the motion of his honourable friend, "That these amendments be read a second time this day three months."

Mr. ATTORNEY GENERAL said, he felt himself called upon, by some things which had fallen from the honourable gentleman, to say a few words. He had referred to him as one of the law officers of the Crown, to decide whether the House of Commons did not, by granting a charter of incorporation, trench upon the prerogative of the Crown? He recollected, on a former occasion, when a bill for granting a charter of incorporation was brought before the House, the then Attorney General (Lord Eldon), and himself as Solicitor General, stated to the House, that they conceived that it was out of the province of the House to grant charters of incorporation. At that time his suggestion was treated with great contempt; he was told, that the House had often granted such charters; and thinking that he had not been used very well on that occasion, he did not feel anxious to interfere on the same subject afterwards. That case too was stronger than the present one, as it was a bill in which there was nothing but what might have been granted by the Crown without the consent of the House of Commons. He did think, however, that it was much better to leave these things to the Crown in most cases. As to the present bill he did not wish to take any active or decided part respecting it. He had hitherto abstained from doing it, on the ground that it was possible that the granting of this charter might yet be left to the Crown; in which case, his opinion, as a law officer of the Crown, would be resorted to; and to the formation of that opinion, he wished to proceed with as much impartiality, and with as little prejudice as possible.

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Mr. TIERNEY and the ATTORNEY GENERAL mutually explained.

Mr. ROSE said, that the honourable gentleman (Mr. Tierney) had complained that this bill had been brought in, and that it was to be passed at so late a period of the session. But it must be recollected, that this bill has been before Parliament for seven weeks ; that there were two bills prior to it, under the consideration of Committees of the House, one regulating the assize of bread, and another for regulating millers, out of which this bill arose. These Committees were attended by a great number of most respectable country gentlemen ; and when in them this measure was suggested, he, along with many others, warmly approved of it. His approbation, he had no hesitation in saying, still continued—he had expected from the beginning, that much good would result from it, and his expectations were not diminished. The honourable gentleman had entered a good deal into the general merits of the bill. Though this was not perfectly in point upon the question before the House, (the adjournment of the consideration of the amendments made on the bill by the Lords,) and though he did not wish to take up the time of the House, he could not refrain from shortly adverting to some of the arguments which fell from the honourable gentleman. The honourable gentleman had stated, that this measure was unprecedented ; that there was no instance of the House of Commons having granted a charter of incorporation of the same nature with this. He had never heard such an argument suggested before, or he would, perhaps, have been better prepared to answer it. But since it had been advanced, he had succeeded in finding two instances perfectly in point ; if he had had longer time for search, he had no doubt but that he should have found more. One of them was a charter granted in the 13th of the King, to an incorporated company, for the manufacture of British plate glass. The act granting this charter, was, in every point, precisely the same with the bill now before the House. The other was an act of the 29th of the King, granting a charter to the Northumberland Coast Fishery Company, and was also similar to the present. This argument therefore fell to the ground. The honourable gentleman said, that the establishment of this company would destroy all competition in the market, and that, instead of destroying monopoly, it would tend to increase it, for that no ordinary trader could enter into competition on fair grounds, with a joint-stock company. “ It is true, that in ordinary cases, joint-stock companies must have great advantages over ordinary traders, and in general may be dangerous. But the danger is destroyed and the competition restored, when, as

in the present case, the company is restricted in its capital, in the divisible profits, and in the extent to which they are allowed to manufacture; when there is a perfect publicity in their transactions, their accounts, their purchases, and their sales; and when every thing is subjected annually to the review of Parliament. It has been said, that the effect of this bill will be to ruin a numerous, industrious, and deserving class of men, the millers. No man would lament more sincerely than I should, to see this class of men deprived of their means of honest support. But I apprehend no such effect from the institution of this company. It cannot be doubted that it will, in some degree, affect them; but I believe, in opposition to the statement of the honourable gentleman, that it would principally affect the great and opulent millers. This company are to grind the same quantity that was done by the Albion Mills; yet it has never been stated, that any miller was ruined, or even that any mill was stopped, in consequence of their erection. One person, indeed, (a Mr. Bush,) has said, that during the period of the existence of the Albion Mills, he had given up his mill; but it did not appear that this arose from the Albion Mills depriving him of his trade. That the millers will, however, be in some degree affected, I willingly admit; but I contend, that it will be principally the great millers. For, from the evidence given in the Select Committee on this bill, which the honourable gentleman has complained had not been laid before the House, but which any gentleman certainly had it in his power to procure, it appears, that very different profits are made on the grinding of a sack of flour, and that the small millers are satisfied with a much less profit than the great ones: and when this company comes into a competition with the millers in this trade, those who will be affected must be those who take large profits, and not those who take small." Mr. Rose was then proceeding to state some of the facts which had appeared in evidence before this Committee in support of his argument—that one small miller had stated, that 9d. was a fair profit on grinding a sack of flour; that another stated 1s. as a fair profit; and that the great millers had uniformly stated, that they would not be satisfied with less than 2s.; when

Mr. TIERNEY spoke to order. He said, that this evidence had not been laid before the House; and therefore it could not be made a ground of argument. He did not mean to imply, that the honourable gentleman intended to state the evidence unfairly; but he might have forgotten some facts or statements connected with others, which he stated as the ground of his argument, or he might misconceive them.

Mr. SPEAKER said, that the suggestion of the honourable gentleman was certainly correct.

Mr. ROSE said, he regretted much that this evidence had not been formally laid before the House, as his argument would have derived considerable support from it, and as the want of it deprived him of this advantage. "The honourable gentleman next stated, that the erection of this company would destroy all competition in the London market, and that their capital and charter would enable them in a great measure to command it. But the fact is, that this company will not buy all its corn in the London market. The Albion Mills Company always sent agents in the country to buy up corn in the country markets, and this company will do the same from a regard to their own interests. The honourable gentleman adverted to the manner in which this bill passed the House: he said, that it was only carried by a majority of four, and that these four were so interested in the bill, that upon one clause their votes were excluded, and that they ought not to have been allowed to vote at all. But the fact is, that the bill was carried by a majority of nearly two to one—and that it was only upon one point in which the numbers ran nearly equal. As to the interests of the four gentlemen whose votes were excluded, I do not yet think that it was such, as to deprive them of the right of voting on the bill; for if this principle were carried to its consequences, scarcely a question on a loan bill, on a turnpike bill, a canal bill, or almost any other could occur, in which a great number of votes would not be excluded on the same grounds. Besides, among the opposers of the bill there were also some gentlemen who were as much if not more interested than any of the four whom the honourable gentleman had alluded to; one particularly, (Mr. Plumer,) who is a very great miller, stated himself, that if this bill were carried his mills would be ruined. Another argument used by the honourable gentleman against the bill was, that it would open a door for jobbing practices. The publicity of the accounts and transactions, and the power lodged in the Crown to dissolve the company in case of such practices, will be a sufficient security against this. As to the amendment which the honourable gentleman says he will move on the amendments of the Lords, to grant a power to the House of Commons, as well as to the Crown, to dissolve this company, I conceive it to be perfectly unnecessary, as it cannot be doubted, that without any such clause the House have the power, if they please, to repeal the act. The clause respecting the fixing of the assize of bread, to which also the honourable gentleman objected, will at least be harmless. If it cannot now be acted upon, no evil is done, and a time may come when

it may prove beneficial. I see no reason for delaying the consideration of the amendments made by the Lords, and therefore shall vote for their being now taken into consideration."

Mr. TIERNEY said, that the two instances which the honourable gentleman had adduced, of the House having granted charters similar to the present, were at least thus far not in point, that the institution of these joint-stock companies could injure no human being, which was not the case with the present.

The LORD MAYOR of London said, that it was a most material point for the House to know, that a bill of such enormous importance should at least be practicable. He had taken considerable pains in his official capacity to examine the bill in all its bearings; and he had no hesitation in saying, that it was as impracticable as he knew it to be unnecessary. Of this he was fully convinced; but in the present stage of the bill, he should confine himself to the new clauses. With respect to the clause that was to leave to the Magistrates of the city of London the power to set an assize on the standard wheaten bread, which the new company, as well as the other bakers, were now to make at their discretion, it was a power which they could not exercise. When they had that power before, it was found to be most injurious to the metropolis. The magistrates were sometimes apt to think that they understood the business better than the persons who were engaged in it; and whenever they acted from this sort of caprice, the public was sure to suffer from it: the baker was made to suffer in the first place; and the public was sure to feel that every attempt to interfere with, or to change the course of the trade, prevented the usual supply from coming to London. This was particularly felt in those cases when the magistrates attempted to take from the bakers their fair profit, and for the sake of a momentary popularity to set the assize of bread too low. He trusted then that the House would not leave a matter so important to discretion, but that they would prepare, and put into the bill a table of assize. But this was not all: even if their powers could reach them if their residence was in the city of London, they could do nothing if they had their residence in the borough of Southwark, or in any part of the county of Surry, or in the city of Westminster. These districts were under the cognizance and jurisdiction of other magistrates. The clause was therefore most irregularly drawn, and did not provide for its object. And even if this new company was resident in the city of London, he knew not (and he spoke in the presence of a worthy magistrate, his colleague, who concurred with him) how the magistrates could subject them to the laws by which other bakers were bound and checked. Other

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bakers were bound to make a return upon oath of all the flour they bought, and the prices they paid for it. Here the bakers were the millers, and the act did not direct that any person should return the flour and prices to the Lord Mayor. They could also search the Houses of the common baker; they could fine him on the detection of his adulterating the bread, or of short weight. How could they inflict penalties on this corporation? Could they put a corporation in the pillory if convicted of perjury? In short, he knew of no means by which this corporation could be brought within the laws by which other millers and bakers were controuled, and by which the public was protected. If there were any means, he should be glad to know them. At any rate, it surely would be wise and prudent not to pass a bill of such magnitude, and invest a company with such powers, in so hasty and precipitate a manner. He must say that he felt it his duty to vote for putting off the farther consideration of these clauses.

Mr. BROGDEN set Mr. Rose right with respect to the instance he had mentioned of Mr. Bush. When the Albion Mill commenced, and he relinquished the flour-trade, his son was an infant. He did not put him into the flour-trade till many years after the destruction of the Albion Mills.

The House then divided—Ayes, 18; Noes, 34.

The clauses were then read a second time.

Mr. TIERNEY moved the amendments of which he had given notice. The first was, That it should be left to the House, by the notice of Mr. Speaker, to put an end to the charter at the end of six months, as it was done in the 6th of George I. This motion was negatived.

He then moved, That the corporation should only have power to sell 1000 quarters per week of *damaged* wheat. This also was negatived.

He then moved, That the clause respecting the assize should be regulated by a table, not left to the discretion of the magistrates—and this also was rejected.

The clauses were then read a third time, and the bill sent back to the House of Lords.

HOUSE OF LORDS.

Monday, July 28.

The royal assent was given by commission to thirty-five public and private bills, among the former were the three acts respecting Exchequer bills, &c. ; the Flour and Bread Company bill ; their Majesties Private Property bill ; and several other important bills. The Lords Commissioners on this occasion were, the Lord Chancellor, Earl of Leicester, and Lord Walsingham.

After the second reading of the Combination Prevention bill,

The Earl of LIVERPOOL regretted that it had come too late into that House to receive all the consideration which a subject of so much importance merited. He admitted, however, that it had received a very ample discussion in the other House ; and that he was not aware of any objection to it out of doors, except in the silk trade, in which some of the persons concerned disapproved of the clause for choosing referees in disputes between the masters and journeymen. It was obvious, however, he said, that it was now too late to make any alteration ; and therefore as some such measure was absolutely necessary, he thought it the less of the two evils to pass the bill in its present state, though, perhaps, imperfect, leaving it to be repealed or amended next session, if, in the mean time, it should be found defective. He concluded with moving, that the usual forms of the House should be dispensed with, and the bill forwarded through all its remaining stages.

The LORD CHANCELLOR having left the woofsack, followed the Earl of Liverpool in nearly the same line of argument. He hoped, however, that the objection made by the silk trade would not be found material, as a similar bill, containing the same clause, but confined to the cotton trade, had just passed without any objection, although as much delicacy was necessary in that trade, and the materials equally liable to be spoiled in the working.

The bill was then forwarded through all its remaining stages, and passed.

The Earl of LIVERPOOL moved the order of the day respecting the attendance of the printer and publisher of *The Times* ; which being read,

The Yeoman Usher informed the House, that C. Bell and J. Bonfor were attending pursuant to the said order ; whereupon they were called in ; and, the papers complained of being shewn to them, they acknowledged that they were the printer and publisher of the same.

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The resolutions that the paragraphs contained in the said papers were a breach of the privileges of this House were read; and being asked what they had to say in their behalf,

Mr. Bell, the printer, produced a written defence, which the publisher signified to be also what he had to offer in his justification. The address generally set forth, first their regret so far at being placed in situations where they were considered as the printers and publishers of any matter that called for the animadversion of their Lordships' House, or could give offence to any one of its members. It then went on to state, that those who are called printers of a paper, have very little connection with, and no controul over the reports of the parliamentary debates; that the part complained of was written by a gentleman of experience in the business; that nothing could be further from the intention of those concerned than wilful misrepresentation; that the *erratum* complained of in the second publication, they could assure their Lordships, was not, as had been assumed, intended as a continuance of misrepresentation; but merely what, upon subsequent inquiry among gentlemen conversant in the business of reporting, was considered as the language really spoken; that they were aware, that to print or publish the proceedings or debates of Parliament involved a breach of privilege; but on this head, after alluding to what had been the uniform practice of the public prints respecting those matters for years past, and to the idea of an implied tacit consent thereto, on the part of members of the Legislature, &c. they humbly submitted themselves on these grounds, as objects at the mercy of the House, and prayed the forgiveness of their Lordships.

They were then ordered to retire from the Bar; on which the Earl of LIVERPOOL, after observing briefly upon the nature of the offence committed by the parties in question, which was an obvious breach of the privileges of that House, and which misrepresentation of any kind certainly went to aggravate, and pronouncing an encomium on the eloquent and argumentative address of the learned counsel in question, who he was positive uttered no such language as had been attributed to him, moved in effect, "That the printer and publisher of *The Times* be called to the bar, and upon their knees reprimanded."

On this being ordered, Messrs. Bell and Bonfor were a second time brought to the Bar, and having knelt down,

The LORD CHANCELLOR, from a written paper, shortly addressed them; it set forth the resolutions of the Committee of Privileges and the Vote of the House; the peculiar nature of the offence committed by them; the considerations it involved, and the

necessity, on such an occasion, of marking the sense entertained by the House thereof by an exemplary mode of proceeding. In the present instance, and their being reprimanded, they were to consider themselves as experiencing the lenity of the House.

They were then taken from the Bar, and discharged.

The order was read for going into a Committee upon the General Inclosure Regulation bill, on which

The LORD CHANCELLOR quitted the woofsack, and at some length stated his disapprobation of the bill. His Lordship adverted to the beneficial tendency of decisive and appropriate resolutions entered into by either House, and thoroughly understood; and deprecated an Act of Parliament on the occasion, which, when once made, must be literally obeyed. The inconveniencies, &c. which such a proceeding must lead to, were ably illustrated by the noble Lord, particularly as it related to the affidavits respecting the allegations, which he forcibly pointed out. Under these impressions he felt himself called upon to move, "That the bill be committed that day three weeks," which meeting the sense of their Lordships present, was ordered accordingly.

HOUSE OF COMMONS.

Monday, July 28.

The Yeoman Usher of the Black Rod, being introduced, stated, that he was desired to require the immediate attendance of the House of Commons in the other House, to hear His Majesty's commission read for the passing of several bills: the Speaker, with the Members, went up accordingly, and being returned, the Speaker informed the House, that His Majesty's assent had been given by commission to the Three Million and a Half Exchequer Loan bill, and to the other Exchequer bills, &c.

Mr. JONES took the opportunity of noticing the current report of the day, that an armistice had been concluded between the Emperor and the French. He wished to know if His Majesty's Ministers knew how the fact really stood; more particularly as it was only on Thursday last that a subsidy had been voted to the Emperor for the purpose of carrying on the war; and he hoped it would not be too much to ask, whether we had any chance of being included in such an armistice, or in those preliminaries of peace which might be entered into in consequence of it?

Mr. Chancellor PITT answered, that the question was one which he was not called upon to answer; nor would it be consistent with the situation in which he was placed to reply to it.

After the royal assent had been given to the four money bills, a message came from the Lords, informing the House their Lordships had agreed to them.

The SPEAKER explained to the House how this mistake had arisen. He stated, that at four o'clock, there not being forty members present, he was counting the House, when a message was sent from the Lords desiring the attendance of the House. It was impossible, therefore, for the messengers of the Lords to be called; but he was sensible, from the mode in which the communication was conveyed, that there had not been any amendments made in the bills; had he not been satisfied on this point, he should have thought it his duty to have quitted the bar of the House of Lords the moment that part of the commission which referred to those bills had been read. He trusted, that in acting as he had done, he had not departed from the dignity of the House. No inconvenience whatever had occurred; and all that was necessary was to make a minute of the circumstance on the Journals.

Mr. TIERNEY proceeded to state to the House the tenour of the set of resolutions which he had drawn up upon the subject of Finance. The three first related to the funded debt: on which point he remarked, that the only material difference between his statements and that of the right honourable gentleman, consisted in the manner of drawing up this resolution. His object was to shew what was the real capital of the country. He stated the gross amount of the income tax at 5,800,000*l.*; from which were to be deducted the expences of collection, amounting to about 150,000*l.* Mr. Tierney then proceeded to make a variety of calculations and statements, in the form of resolutions, and concluded with moving the first, which respected the amount of the unfunded debt.

Mr. Chancellor PITT said, he was glad to find that scarcely any real difference subsisted between him and the honourable gentleman as to figures; but that it turned merely on the manner of drawing up and stating the accounts. At the same time he was satisfied, that the mode he had adopted was the most salutary and satisfactory. The honourable gentleman had drawn a comparison between our situation now and at the commencement of the war; but no fair view could be taken from this comparison, unless gentlemen at the same time included the period of the last war, as well as of the last peace. Mr. Pitt added, that, in his statement, he had also thought it right to discriminate between those burdens laid on

during the present war, and which were but of a temporary duration, and those other taxes which were permanent. He had also thought it necessary to compare the progressive burdens of the Public with its corresponding resources and revenues. Whilst he had also compared the progress of the increased sinking fund with the means of its liquidation, he had shewn, in his financial statements and resolutions, the means by which these debts and burdens were to be defrayed. There was some difference between his and the honourable gentleman's statements, as to the amount of the unfunded debt: he considered himself warranted to deduct from the whole amount, in a case where a specific fund was pledged for paying it off within a limited time; and in this instance such a sum was not to be considered as an article of unfunded debt; but both the honourable gentleman and himself were agreed, that the sum of unfunded debt, increased during the present war, amounted to 12,492,000*l*. If the resources of the country were compared with its burdens, the result would be found highly satisfactory. Mr. Pitt proceeded to state the expences of a peace and war establishment, and remarked, that the honourable gentleman (Mr. Tierney) had not included in his calculation of the last peace establishment the heavy contingent expences arising from the dispute with Spain in the affair of Nootka Sound, the Russian armament, &c. as well as the expence arising from the American Loyalists, and other contingent expences which were not likely to arise again when peace took place. Mr. Pitt proceeded to state another difference of calculation between himself and the honourable gentleman, as to the time allowed for the termination of the fifty-six millions to be raised by the income tax. He still thought that that tax, with the new regulations which had been adopted, might amount to the sum of seven millions, whereas the honourable gentleman calculated it only at six millions. From these and other considerations, Mr. Pitt said, he rather wished that his view of the subject might be adopted; and though, upon the whole, he saw no great objections to the resolutions of the honourable gentleman, he must prefer the substitution of those which he had drawn up. The method he should take would be to move the previous resolution upon the honourable gentleman's resolutions, with a view of substituting his own.

The first and subsequent resolutions of Mr. Tierney were then moved, when the previous question was put, and carried upon them.

Mr. PITT then moved the following resolutions, which were adopted:

“ I. That the amount of the public funded debt was, on the 5th of January 1786, 238,231,248*l.* exclusive of long and short annuities, and annuities for lives, to the amount of 1,373,550*l.* That, on the 1st of February 1793, stock to the amount of 10,242,100*l.* had been purchased by the Commissioners for redeeming the national debt; and annuities to the amount of 79,880*l.* had fallen in, and had been carried to their account; reducing the actual amount of the debt, on the 5th of January 1793, to 227,989,148*l.* and the annuities to 1,293,670*l.*; and that on the 1st of February 1800, stock to the amount of 32,404,845*l.* had been purchased by the Commissioners for redeeming the national debt; and annuities to the amount of 119,880*l.* had fallen in, and been carried to their account, reducing the actual amount of debt existing before the war, on 1st February 1800, to 205,826,403*l.* and the annuities to 1,253,670*l.*

“ II. That the amount of the public funded debt created since the 1st of February 1793 (including the amount to be created by sums borrowed in the present session of Parliament, and exclusive of 7,502,633*l.* 3 per cent. stock, and 230,000*l.* per annum annuities, created by the advances to the Emperor of Germany), was on the 1st of February 1800, 257,787,792*l.* exclusive of long annuities to the amount of 283,206*l.* per annum; of which 15,315,000*l.* is on account of Ireland, and 56,445,000*l.* is provided for by the tax on income, leaving a permanent debt of 186,027,792*l.* charged on Great Britain; and that on the 1st of February 1800, 12,328,449*l.* had been purchased by the Commissioners for redeeming the national debt; reducing the said permanent debt created since the 5th of January 1793, to 173,699,343*l.* exclusive of long annuities to the amount of 283,206*l.* per annum, after deducting the annuities payable by Ireland.

“ III. That the total amount of the permanent funded debt charged on Great Britain, after deducting the sum of 44,733,294*l.* redeemed by, and the annuities fallen into, the Commissioners, was, on the 1st of February 1800, 379,525,000*l.* together with short annuities to the amount of 549,130*l.* and long annuities to the amount of 987,947*l.* after deducting the annuities provided for by Ireland.

“ IV. That the sum annually applicable to the reduction of the national debt, in pursuance of the act passed in 1786, was 1,000,000*l.* being about 1-238th part of the capital of the permanent debt then existing; and for 1793 was 1,427,143*l.* being about 1-160th part of the permanent debt existing in 1793, and

may for the year 1800 be estimated at 4,730,000*l.* being about 1-82d part of the permanent debt existing in 1800.

“ V. That the annual charge incurred on account of the permanent debt, on the 5th of January 1786, was 9,297,000*l.* before any fund was created applicable to the reduction of the debt, and on the 5th January 1793, was 10,325,000*l.* including 1,000,000*l.* applicable to the reduction of the debt.

“ VI. That the annual charge incurred on account of the permanent debt created since the 5th of January 1793 (including 314,000*l.* permanent interest and charge on loan of the present session), amounts to 8,582,429*l.* per annum, of which 6,684,469*l.* is for interest, annuity, and charges of management, and 1,897,960*l.* applicable to the reduction of debt; and that a further charge of 497,735*l.* per annum is guaranteed by Parliament, in default of payment of the interest of certain loans by His Majesty the Emperor of Germany.

“ VII. That the outstanding demands on the 5th of January 1793 amounted to 1,327,112*l.*; and on the 5th of January 1800, to 2,890,791*l.*; the whole of which have been provided for, part thereof in the former session of Parliament, and the remainder in the present session.

“ VIII. That the unfunded debt (exclusive of the anticipation in the usual form on certain duties annually voted) on the 5th of January 1793 amounted to 8,925,422*l.* and on the 5th of January 1800, to 14,406,288*l.*; of which 1,914,000*l.* was provided for in the present session of Parliament, leaving an unfunded debt of 12,492,288*l.* which increase of 3,566,866*l.* beyond the amount of the unfunded debt on the 5th of January 1793, is occasioned chiefly from an addition of 1,000,000*l.* exchequer bills, and of an additional navy debt arising from increased demands during the war, and bearing no interest.

“ IX. That the net produce of the permanent taxes existing on the 5th of January 1784, then amounted to 10,194,259*l.* and that taxes were afterwards imposed to defray the expences of the war ending in 1783, amounting in 1786, to 938,000*l.* making together 11,132,000*l.*

“ X. That the net produce of the permanent taxes existing previous to the year 1784, adding thereto about 938,000*l.* imposed, as above stated, in 1784 and 1785, and 137,000*l.* arising from the consolidation act, and from duties imposed in 1789, was, in the year ending the 5th of January 1793, 14,284,000*l.*; on the 5th of January 1794, 13,941,000*l.*; on the 5th of January 1795, 13,858,000*l.*; on the 5th of January 1796, 13,557,000*l.*; on the 5th of January 1797, 14,292,000*l.*;

on the 5th of January 1798, 13,332,000*l.*; on the 5th of January 1799, 14,275,000*l.*; and on the 5th of July 1800, 15,432,254*l.*; which last sum, after deducting the duties arising from the consolidation act, and those imposed in 1789, exceeds the net produce of the permanent taxes on the 5th January 1784, together with that of the taxes imposed in 1784 and 1785, by 4,163,254*l.*

“ XI. That the actual net produce of the taxes imposed since the 5th of January 1793, amounted in the year ending the 5th of July 1800, to 8,477,100*l.*; and that, on part of these taxes, the produce of one year has not yet been received, and only 113,707*l.* of those imposed in the present year, estimated at 350,000*l.*

“ XII. That the total value of all imports into Great Britain, in the year ending the 5th of January 1784, was 13,122,235*l.*; and on an average of six years, ending the 5th of January 1784, was 11,690,829*l.*; that the total value of all imports into Great Britain, in the year ending the 5th of January 1793, was 19,659,358*l.*; and on an average of six years, ending the 5th of January 1793, was 18,685,390*l.*; that the total value of all imports into Great Britain, in the year ending the 5th of January 1800, (supposing the imports from the East Indies, of which no account has yet been made up, to be the same as in the preceding year,) was 29,945,808*l.* making an increase, as compared with 1783, of 16,823,573*l.*; and with 1792, of 10,286,450*l.*; and on an average of six years, ending the 5th of January 1800, was 24,407,000*l.* making an increase, as compared with the average to January 5th, 1784, of 12,717,000*l.* and with the average to January 5th, 1793, of 5,722,000*l.*

“ XIII. That the total value of British manufactures exported from Great Britain, in the year ending the 5th of January 1784, was 10,409,713*l.*; and on an average of six years, ending the 5th of January 1784, was 8,616,660*l.*; that the total value of British manufactures exported from Great Britain in the year ending the 5th of January 1793, was 18,336,851*l.*; and on an average of six years, ending the 5th January 1793, 14,771,049*l.*; that the total value of British manufactures exported from Great Britain in the year ending the 5th of January 1800, was 24,084,000*l.* making an increase, as compared with 1783, of 13,674,375*l.* and with 1792, of 5,748,000*l.*; and on an average of six years, ending the 5th of Jan. 1800, was 18,804,000*l.* making an increase, as compared with the average to January 5, 1784, of 10,188,000*l.* and with the average to January 5, 1793, of 4,033,000*l.*

“XIV. That the total amount of foreign merchandize exported from Great Britain, in the year ending the 5th of January 1784, was 4,332,909*l.*; and on an average of six years, ending the 5th of January 1784, was 4,263,930*l.*; that the total value of foreign merchandize exported from Great Britain, in the year ending the 5th of January 1793, was 6,568,000*l.*; and on an average of six years, ending the 5th of January 1793, was 5,468,014*l.*; that the total value of Foreign merchandize exported from Great Britain, ending the 5th of January 1800, was 11,906,000*l.* making an increase, as compared with 1783, of 7,574,000*l.* and with 1792, of 5,338,000*l.*; and on an average of six years, ending the 5th of January 1800, was 11,677,000*l.* making an increase, as compared with the average to January 5th, 1784, of 7,414,000*l.* and with the average to January 5th, 1793, of 6,209,000*l.*

“That the total sum to be raised in Great Britain in the year 1800, may be estimated as follows, *viz.*

Interest of public funded debt, charges of management, and sinking fund, on 5th of Jan. 1800, after deducting interest payable by Ireland £.19,307,000

Interest, &c. to be incurred and paid between the 5th Jan. 1800 and 5th Jan. 1801, on stock created by loans in the present session, to the amount of 962,000

Interest on exchequer bills, estimated to be the same as paid to the 5th Jan. 1800, 1,021,626

The civil list 898,000

Other charges on consolidated fund, estimated to be the same as incurred in the year ending 5th Jan. 1800 239,297

Civil government of Scotland estimated as before—Pensions on hereditary revenue, ditto—Militia and deserters warrants, ditto—Bounties for promoting fisheries, linen manufactures, &c. estimated as before . . 647,183

Charges of management of the revenue, estimated as before, including the expence of collecting the income tax 1,779,769

Making the total permanent charges to be defrayed out of the gross receipt of permanent revenue £.24,854,875

Supplies voted for 1800, exclusive of 1,914,000*l.* to defray vote of credit 1799 35,686,552

Carry over £.60,541,427

Brought over £. 60,541,427

Advance to Ireland £. 2,000,000

Vote of credit for probable contingen-

ties 1,400,000

Interest payable for imperial loans 497,000

3,897,000

Making in the whole the sum of £. 64,438,427

“ XVI. That the gross receipt of the permanent revenue (after deducting re-payments for over-entries, drawbacks, and bounties in the nature of drawbacks), amounted in the year ending the 5th of July 1800 to £. 28,238,000

That the tax on income is estimated to produce, for the year 1800, a sum of 7,000,000

That the tax on imports and exports may be estimated to produce a sum of 1,250,000

That further sums are applicable to the service of the year 1800, as follows:

Surplus of consolidated fund, after completing grants to the 5th of April 1800 597,000

Re-payments from Grenada, imprests, and lottery, 826,000

And that the remainder of the supply for the year 1800 is provided for by a loan, on account of Great Britain, of 18,500,000

And a loan for Ireland of 2,000,000

And by exchequer bills to be charged on supplies, 1801 3,000,000

And a loan from the Bank of 3,000,000

— And expected additional produce of taxes 1800 . . 240,000

Making in the whole the sum of £. 64,651,000

“ XVII. That estimating the gross receipt of the permanent revenue to continue the same as in the year ending the 5th of July 1800, and adding thereto the additional expected produce of the permanent taxes imposed in this session of Parliament, the total amount to be raised by permanent and temporary taxes, for the service of the year 1800, may be computed at the sum of 36,728,000*l*.

“ XVIII. That it appears by a report of a Committee of this House in 1791, that the actual expenditure (including the annual million for the reduction of the public debt), on an average of five years of peace, ending 5th January 1791, and including fundry extraordinary expences for the armament of 1787, and for payments

to American Loyalists, and other articles of a temporary nature, amounted to £. 16,816,985

But the peace establishment was estimated by the said Committee at 15,969,178

And that the expence of the year 1792 amounted nearly to that sum.

That the additional permanent charge incurred by the debt created since 1793, exclusive of interest payable by Ireland, is 8,582,395

£. 24,551,573

That the additional charge to be incurred for increased amount of exchequer bills outstanding is 55,000

Interest on money for satisfying increased navy debt at 5 per cent. at 150,000

That the additional charge incurred on the consolidated fund is 131,650

That the additional charge incurred for a sum annually voted for the redemption of debt is 200,000

And that the future peace establishment (exclusive of any charge to be incurred by interest, on sums to be paid on winding up the expences of the war; and of any augmentation which may take place in the naval or military establishments, but allowing for increase of pay and other expences) 700,000

And also (exclusive of 497,000*l.* interest on loans due by the Emperor of Germany, and guaranteed by Parliament), may be estimated at £. 25,788,223

“ XIX. That the produce of the tax on income in the year ending the 5th of April 1800, appears to be £. 5,801,624

Voluntary contribution 255,000

Exports and imports may be calculated at 1,250,000

£. 7,306,624

And that the produce of the permanent taxes imposed previous to the 5th of January 1793, has, in the year ending the 5th of July 1800, exceeded by above 2,000,000*l.* the sum estimated by the Committee in 1791, as necessary for the peace establishment.

“ XX. That during the continuance of the tax on income, after the conclusion of the war, if the produce in future years should amount to 7,000,000*l.* the total annual expenditure may be esti-

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mated at about 33,000,000*l.* including therein the said sum of 7,000,000*l.* applicable annually (over and above all other sums in the hands of the Commissioners) to the reduction of debt.

“XXI. That the amount of 3 per cent. stock, created in the years 1798, 1799, and 1800, and of which the interest is to be defrayed, and the principal to be redeemed by the tax on income, is 56,445,000*l.*

“XXII. That, supposing the war to end with the year 1800, the 3 per cent. stock to remain on an average of three years after peace at 80*l.* and the tax on income to produce 7,000,000*l.* per annum, the capital stock of 56,445,000*l.* together with the interest payable thereon, would be redeemed in the year 1808.”

Mr. Chancellor PITT then moved an humble address to His Majesty, that he would be graciously pleased to give directions that the sum of 1200*l.* be paid to Charles Bragge, Esq. as chairman of the Committee of Ways and Means, agreeably to the instructions of a Committee of the House upon that subject, and assuring His Majesty that this House would make good the same.

Mr. TIERNEY said it was invariably his opinion, that liberal and adequate salaries should be paid to all persons employed by the public; but when he saw a salary thus suddenly increased from five to twelve hundred *per annum*, where no previous services could put in a claim, where no appearances were necessary to be made, and where no extraordinary expences were consequently incurred, he could not help saying that such an increase of salary for such a situation was a shameful perversion of the public money.

Mr. Chancellor PITT enumerated the various and extended services performed by Mr. Bragge; and observed, that when the salaries of the other officers of the House had been increased, it would have been highly unjust to overlook Mr. Bragge, of whose attention and diligence the House had had such frequent and convincing proofs.—Agreed to.

On the motion of Mr. Chancellor PITT, similar addresses were agreed to, for granting the sum of 1500*l.* to the clerk assistant of the House, Jeremiah Dyson, Esq.; 500*l.* to J. Clemenson, Esq. deputy-serjeant; 1000*l.* to Mr. Abbott, the chairman of the Committee for examining into the state of the public records of the kingdom, to be distributed by him to J. Planta, Esq. of the British Museum, to B. Richards, Esq. and other gentlemen who had rendered special service to that Committee in the prosecution of that labour;—300*l.* were voted to Mr. Dunn, to defray the expences of making a general Index to the Journals, from the 45th volume;

and the sum of 25*ol.* to Mr. Whittam, for an Index to the Votes of the House.

Mr. NICHOLLS VANSITTART reported from the Committee appointed to consider of such further measures as may be necessary for rendering more commodious, and for better regulating, the port of London, and to report their proceedings from time to time, together with their opinion thereupon, to the House; that the Committee had considered the matters to them referred, and had directed him to make a report thereof, together with several resolutions of the Committee thereupon, to the House; and he read the report in his place, and afterwards delivered the same, with an appendix thereunto, in at the table, where the same was read, as followeth, viz.

“Resolved, That it is the opinion of this Committee, that it is essential to the improvement and accommodation of the port of London, that London Bridge should be rebuilt, on such a construction as to permit a free passage, at all times of the tide, for ships of such a tonnage at least as the depth of the river would admit at present between London Bridge and Blackfriars Bridge.

“Resolved, That it is the opinion of this Committee, that an iron bridge, having its centre arch not less than 65 feet high in the clear above high-water mark, will answer the intended purposes, with the greatest convenience, and at the least expence.

“Resolved, That it is the opinion of this Committee, that the most convenient situation for the new bridge will be immediately above Saint Saviour's Church in Southwark, and upon a line leading from thence to the Royal Exchange.

“Resolved, That it is the opinion of this Committee, that the shoals between the Tower and Blackfriars Bridge ought to be removed.

“Resolved, That it is the opinion of this Committee, that the river ought to be embanked on a regular plan from the Tower to Blackfriars Bridge, and wharfs with warehouses formed on the embankments.

“Resolved, That it is the opinion of this Committee, that the notices required by the standing orders of the House, preparatory to the execution of such a plan as may finally be approved of, ought to be given previous to the next session of Parliament, in order that the work, if sanctioned by Parliament, may proceed without delay.”

Ordered, That the said report do lie upon the table; and that such a number of copies be printed as shall be sufficient for the use of the Members of the House.

HOUSE OF LORDS.

Tuesday, July 29.

His Majesty this day at half past three o'clock came in state to the House, when Sir Francis Molyneux, Gentleman Usher of the Black Rod, was sent to command the immediate attendance of the House of Commons, who soon after appeared at the Bar.

Mr. SPEAKER then addressed His Majesty :

“ Most Gracious Sovereign,

“ Your faithful Commons humbly attend your Majesty with the bill by which their grants are completed for the public service of the year.

“ In supplying the various demands of this important conjuncture, your Commons conceive that they have discharged an indispensable duty to your Majesty, and their country, by manifesting their unshaken determination to combine the maintenance and support of public credit, with such ample means of exertion as may best tend to bring the contest in which we are engaged to a just and honourable conclusion.

“ To your Commons it has been highly gratifying to observe, that, amidst the vicissitudes and difficulties which have attended this arduous struggle, the security of the British empire has, in many respects, been materially strengthened, its power consolidated, and its resources increased. The splendid and decisive success to which the late hostilities in India were conducted by the blessing of Providence, upon the joint exertions of wisdom and vigour in council, and of skill and gallantry in the field, has necessarily led to new and extensive regulations. The measure, which has been accordingly adopted, your Commons earnestly hope will have the effect of affording to this country all the advantages which can be derived from those valuable possessions, and of insuring to the native inhabitants the full benefit of British superintendence and protection.

“ But to no proceedings, by which their attention has been engaged, can your Commons recur with stronger sentiments of satisfaction and confidence, than to those which have contributed to the great and important arrangement, by which your Majesty's subjects in Great Britain and Ireland will henceforth constitute one people, actuated by the same views, connected by the same interests, and governed by the same laws. In contemplating this measure, and the prospect which it happily presents, your Commons cannot

fail to be animated by a well-founded hope, the most congenial to your Majesty's benevolent mind, that the united kingdom may ever present to the world the example of a free and powerful people, desirous and determined to employ their combined strength and resources for no other purposes than those which are connected with their own honour and security, and to prove, by the moderation and justice of their counsels and conduct, that they are not altogether unworthy of the blessings they may enjoy."

The royal assent was then given to the Herring Fishery and some other bills; after which His Majesty was pleased to make a most gracious speech from the Throne to both Houses of Parliament, as followeth, viz.

My Lords and Gentlemen,

In putting an end to this laborious session of Parliament, I must express the just sense I entertain of the diligence and perseverance with which you have applied yourselves to the various objects of public concern which came under your deliberation. It is with peculiar satisfaction I congratulate you on the success of the steps which you have taken for effecting an entire Union between my kingdoms of Great Britain and Ireland.

This great measure, on which my wishes have been long earnestly bent, I shall ever consider as the happiest event of my reign, being persuaded that nothing could so effectually contribute to extend to my Irish subjects the full participation of the blessings derived from the British Constitution, and to establish, on the most solid foundation, the strength, prosperity, and power of the whole empire.

I have witnessed, with great concern, the severe pressure on my people, from the continued scarcity of the season; but I trust that, under the blessing of Providence, there is now every reason to expect that the approaching harvest will afford a speedy and effectual relief.

Gentlemen of the House of Commons,

I return you my particular thanks for the zeal and liberality with which you have provided for the various exigencies of the public service. I regret deeply the necessity of these repeated sacrifices on the part of my subjects; but they have been requisite for the preservation of our dearest interests: and it is a great consolation to observe, that, notwithstanding the continuance of unusual burdens, the revenue, commerce, and resources of the country have flourished beyond all former example, and are still in a state of progressive augmentation.

My Lords and Gentlemen,

The course of the campaign upon the Continent has, by a sudden reverse, disappointed the sanguine hopes which the situation of affairs at its com-

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mencement appeared fully to justify, and has unhappily again exposed a considerable part of Europe to those calamities and dangers from which it had recently been rescued by the brilliant success of my allies.

Much as these events are to be regretted, it will always be matter of just satisfaction to me to reflect, that, in the course of this important contest, my efforts, and those of my Parliament, have been unremittingly employed for the maintenance of our own rights and interests, and for animating and supporting the exertions of other powers in defending the liberties of Europe.

Notwithstanding the vicissitudes of war, your constancy and firmness have been productive of the most important and lasting advantages in the general situation of affairs; and the determination manifested in your recent declarations and conduct, must afford me the best means of promoting, in conjunction with my allies, the general interests, and of providing, under every circumstance, for the honour of my Crown, for the happiness of my subjects, and for the security and welfare of every part of the British empire.

And afterwards, the LORD CHANCELLOR, by His Majesty's command, said,

“ My Lords and Gentlemen,

“ It is His Majesty's royal will and pleasure that this Parliament be prorogued to Tuesday the 7th day of October next, to be then here holden; and this Parliament is accordingly prorogued to Tuesday the 7th day of October next.”

HOUSE OF COMMONS.

Tuesday, July 29.

Mr. WILBERFORCE expressed his regret that the measure proposed respecting the general inclosure of waste lands, and which came to him recommended by the Grand Jury of the county of York, had met with such obstruction in another House as rendered it impracticable to do any thing farther in it in the course of the present session; but he gave notice of his intention to resume the subject early in the next.

Mr. Alderman CURTIS said, that he lamented his being absent when the amendments made in the London Mill Company bill had been taken into consideration. He and many other gentlemen did not believe it possible that it could come into discussion before Monday; but it was over for the present, and most unfortunately, as he thought, had passed in a very crude and undigested

form, by which, whatever might be the patriotic views of the subscribers, they could not carry them into effect. There was nothing public in the measure. He thought that the only means by which such an institution could not be injurious to the public, was to tie them up not to make stores which would operate against the regular supply of the market; and therefore he rose to give notice, that early in the next session of Parliament he should move for leave to bring in a bill to explain and amend this bill; and he thought it fair to give notice what his chief object would be. It would go to compel them to bring to market, by public auction, the surplus flour and meal which they might have on hand over the sales of the preceding week.

Mr. SECRETARY AT WAR informed the House, that His Majesty had been graciously pleased to give the directions which the late addresses of the House had requested, respecting the augmentation of the salaries of the officers of the House.

About half past three the Usher of the Black Rod appeared at the Bar of the House, and desired the attendance of that honourable House in the House of Peers; on which the Speaker, attended by the whole House, went up to the same. On the return of the Speaker, and the Members who attended him, to the House of Commons, the Speaker read to the House His Majesty's most gracious speech to both Houses of Parliament. (For which see the Proceedings of the House of Lords of this day.)

APPENDIX.

*ACCOUNTS presented to the House of Commons, re-
specting the CONSOLIDATED FUND, and net Pro-
duce of the PERMANENT TAXES, for the Year end-
ing 5th of January 1800.*

(Ordered to be printed 29th January and 5th March 1800.)

No. I.

*To the Honourable the Knights, Citizens, and Burgeſſes,
in Parliament aſſembled.*

AN ACCOUNT of the INCOME of the CONSOLIDATED FUND for the Year ended the 5th Day of January 1800, and alſo of the Actual Payments thereout within the ſaid Year; and of the Future Annual Charge upon the ſaid Fund, as it ſtood on the 5th of January 1800, (ſubject to ſuch Decrease in the Charge as may ariſe from the Decrease in the Charges of Management of Stock purchaſed by the Commiſſioners for the Reduction of the National Debt :) diſtinguiſhing the Income applicable to paying the Charge for Debt exiſting prior to the Year 1793; and alſo the Income derived from the Duties impoſed in each ſubſequent Year, together with the Charge created in each cor- reſponding Year; and in reſpect of what Sums raiſed, or Bills funded, ſuch Charge was created in each of the ſaid Years.

INCOME.

	£.	s.	d.
Consolidated customs, after deducting 116,676 <i>l.</i> 5 <i>s.</i> 8 <i>d.</i> by act 37 Geo. III. cap. 15. to be carried to account of duties anno 1796; being the computed annual ſaving to the public on account of the reduction in the drawbacks on the exportation of ſugar.....	3,259,041	5	3½
Carried forward.....	£.3,259,041	5	3½

	£.	s.	d.
Brought forward.....	3,259,041	5	3½
Consolidated Excise Duties	6,894,002	10	0
Brought to this account, by act 34 Geo. III. cap. 20. out of excise duty on paper, anno 1794, in lieu of duties then repealed, at 75,000 <i>l.</i> per annum.....	75,000	0	0
Ditto, by 34 Geo. III. cap. 33. out of excise duty on spirit licences, anno 1794, in lieu of duties then repealed, at 36,000 <i>l.</i> per annum.....	14,750	0	0
Consolidated Stamp Duties	1,087,118	14	6
Brought to this account, by act 36 Geo. III. cap. 125, out of stamp duty on hats, anno 1796, in lieu of duties then repealed, at 9,479 <i>l.</i> 11 <i>s.</i> per annum	9,603	8	9
Ditto, by act 33 Geo. III. cap. 28, out of stamp duty on bills and receipts, anno 1793, in lieu of duties then repealed, at 128,600 <i>l.</i> per annum....	128,600	0	0
Ditto, by act 36 Geo. III. cap. 52. out of stamp duty on legacies, anno 1796, in lieu of duties then repealed, at 41,079 <i>l.</i> per annum.....	41,079	0	0
	11,509,194	18	6½
Proportionate part of surplus duties on sugar, 1799, now annually granted,.....	£.78,298	15	6
Surplus duty on tobacco, anno 1799, ditto.....	64,394	0	0
Ditto on malt, anno 1799, ditto	24,537	17	6½
	167,230	13	0½
	11,676,425	11	7

INCIDENTS.

Reserved, by act 37 Geo. III. cap. 18. out of con- sol. letter-money, being the computed annual produce of that duty prior to the year 1795....	410,556	0	0
Reserved, by act 38 Geo. III. cap. 89. out of con- sol. duties on salt, in lieu of duties then repealed, at 406,220 <i>l.</i> per annum	406,220	0	0
Reserved, by act 38 Geo. III. cap. 40 and 41, in lieu of duties then repealed, out of consol. duties on houses and windows, anno 1798, at 327,900 <i>l.</i> per annum.....	327,900	0	0
Ditto, consol. duties on ditto, being the annual sum directed to be set apart on account of the com- mutation duty at 515,000 <i>l.</i> per annum.....	552,117	7	3½
Ditto, consol. duties on inhabited houses, anno 1798, at 148,600 <i>l.</i> per annum.....	148,600	0	0
Ditto, consol. duties on male servants, anno 1798, at 93,000 <i>l.</i> per annum	93,000	0	0
Carried forward.....	13,614,813	18	10½

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APPENDIX.

609

	£.	s.	d.
Brought forward.....	13,614,818	18	10 $\frac{3}{4}$
Reserved, by act 38 Geo. III. cap. 40 and 41. in lieu of duties then repealed, out of consol. duties on horses used for riding, &c. anno 1798, at 106,000 <i>l.</i> per annum	106,000	0	0
Ditto, consol. duties on four and two-wheeled carriages, anno 1798, at 200,000 <i>l.</i> per annum.....	200,000	0	0
Seizures	36,383	19	1 $\frac{3}{4}$
Profers	609	12	8
Alum mines	960	0	0
Compositions	471	16	8
Alienation duty	1,819	2	0
6 <i>d.</i> per lib. on pensions.....	45,720	0	0
1 <i>s.</i> salaries	45,120	10	2 $\frac{1}{2}$
Hawkers and pedlars.....	5,897	0	0
Hackney coaches and chairs	25,400	0	0
Rent of a light-house.....	6	13	4
Lottery licences	970	1	10
Waggon (Arrears).....	2	0	0

14,084,179 14 4

63*d.* 4*s.* aid anno 1799..... 220,310 0 0

	£.	s.	d.
Arrears of 14th 2 <i>s.</i> aid anno 1735..	525	0	0
53 <i>d.</i> 4 <i>s.</i> 1789..	500	0	0
54th 4 <i>s.</i> 1790..	15	5	4
55th 4 <i>s.</i> 1791..	1	15	0
56th 4 <i>s.</i> 1792..	2,900	12	0
58th 4 <i>s.</i> 1794..	626	4	4 $\frac{3}{4}$
59th 4 <i>s.</i> 1795..	7,609	13	5 $\frac{3}{4}$
60th 4 <i>s.</i> 1796..	5,875	3	7 $\frac{1}{2}$
61st 4 <i>s.</i> 1797..	6,523	6	9 $\frac{1}{4}$
	24,577	0	7 $\frac{1}{4}$
Duty on malt 1796..	112	0	0
1797..	3,922	11	9
	4,034	11	9

Money reserved for the use of the public, in respect of the nominees appointed by the commissioners of the treasury, pursuant to act 30 Geo. III..... 24,260 12 0

	£.	s.	d.
Money paid by William Mitford, Esq. on account of money due from the estate of the late E. Manning, of Jamaica.....	6,893	14	9
Ditto by Claude Scott, Esq. on account of corn sold for the use of Government.....	101,000	0	0

Carried forward..... 107,893 14 9.. 14,357,361 18 8 $\frac{1}{4}$

	£.	s.	d.	£.	s.	d.
Brought forward.....	107,898	14	9	14,357,861	18	8½
Money paid by William Huskisson, Esq. on account of Earl Macartney, governor of the Cape of Good Hope	10,000	0	0			
Ditto by Edward Roberts, Esq. first clerk to the clerk of the pells, being the residue of exchequer fees.....	48,186	17	0			
Ditto by A. Huddleston, on account of stoppages for the use of the royal artillery in Newfoundland.....	500	0	0			
Ditto by Fludyer and Co. army contractors, on account of cloth sold for the public service....	2,633	16	2			
Ditto by Richard Spiller, Esq. late agent for Cape Breton.....	256	13	7½			
Ditto by Abraham Newland, Esq. on account of the silver coinage	31,665	18	4			
Ditto by F. Bullock, Esq. late agent for Senegambia.....	314	4	6½			
Ditto by William Finemore, on account of a penalty of a bond	34	2	0			
Ditto by Henry Motz, Esq. ditto of the sale of magazines.....	10,300	0	0			
				206,585	6	5½
Imprest Money repaid by R. Moleworth, Esq. on account of the right honourable Richard Rigby, late paymaster of the forces.....	1,936	0	2			
Ditto by C. Goddard, Esq. agent for Canada.....	1,900	0	0			
Ditto by Sir F. Baring, on account of the executors of Sir Adam Williamson.....	43,000	0	0			
Ditto by Brook Watson, Esq. commissary general.....	27,329	3	8			
Ditto by Alexander Davidson, Esq. late commissary general at Southampton.....	11,308	1	9			
Ditto by the Hon. H. E. Fox, administrator of the late Lord Holland, paymaster of the forces.....	5,000	0	0			
Ditto by Major General D'Aubant, chief engineer at Toulon and Corfica.....	140	0	0			
Carried forward....	90,613	5	7	14,568,947	5	1½

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	£.	s.	d.	£.	s.	d.
Brought forward.....	90,613	5	7	14,563,947	5	1 $\frac{1}{4}$
Imprest money repaid by William Mitford, Esq. on account of Dr. John Stewart, late purveyor of hospitals at the Leeward Islands.....	200	0	0			
				90,813	5	7

Total Income applicable to the paying the charge
for debt existing prior to the year 1793..... 14,654,760 10 8 $\frac{3}{4}$

DUTIES pro anno 1793.

British spirits, anno 1791	108,916	0	0
Game duty	27,673	4	0
Surplus of duty on bills and receipts, after reserving the annual average produce as aforefaid	87,891	10	1
Reserved out of duties consolidated by acts 1798, cap. 40 and 41, in lieu of duty of 10% per cent. then repealed	89,605	12	6 $\frac{1}{2}$
	314,086	6	7 $\frac{1}{2}$

DUTIES pro anno 1794.

Sugar 1791, arrears in 1800	60,870	9	1 $\frac{1}{2}$
Foreign spirits	161,027	0	0
British ditto 1794.....	110,041	0	0
Foreign ditto	156,915	17	5
Surplus of spirit licences, after reserving the average produce as aforefaid	0	0	0
Ditto paper (Excise) after ditto, ditto	75,143	0	0
Paper (Customs)	3,277	3	5
Glass	45,123	0	0
Bricks and tiles (Customs)	8	8	3
Ditto	43,270	0	0
Slates and stones	11,777	9	11
Attornies articles	21,979	18	0
	689,433	6	1 $\frac{1}{2}$
Proportionate part of surplus duty on sugar, 1799..	16,929	9	4
	706,362	15	5 $\frac{1}{2}$

DUTIES pro anno 1795.

British spirits.....	106,603	0	0
Foreign ditto	156,717	6	6 $\frac{3}{4}$
Wines	557,171	0	0
Sweets	7,751	0	0
Cocoa.....	22,187	0	0
Stamps	39,471	10	6
Ship policies	148,693	2	6

Carried forward..... 1,038,593 19 6 $\frac{1}{2}$

	£.	s.	d.
Brought forward.....	1,038,593	19	6 $\frac{1}{4}$
Hair powder certificates.....	131,881	13	8
Receipts.....	8,587	7	8
Fruit, silk, &c.....	105,796	18	7 $\frac{1}{2}$
Coals.....	11,326	2	5
Tea.....	259,588	10	0
Spirit licences.....	15,750	0	0
Reserved out of consolidated letter money, being the computed annual increase of revenue, by reason of the restriction in franking by act 37 Geo. III. cap. 18.....	40,000	0	0
	1,611,424	11	11 $\frac{1}{4}$

DUTIES pro anno 1796.

Tobacco.....	186,183	0	0
Horse dealers licences.....	1,559	3	3
Wine (Excise).....	2,500	0	0
Ditto (Customs).....	526,103	4	1 $\frac{1}{2}$
Sweets.....	8,014	0	0
Surplus of duty on legacies, after reserving the ave- rage produce as aforesaid.....	77,165	1	3
Ditto of duty on hats, after ditto ditto.....	33,162	14	3
Reserved, by acts 38 Geo. III. cap. 40 and 41, out of consolidated duties on horses for riding, &c. in lieu of duty on horses, 1796, then repealed, at 106,000 <i>l.</i> per annum.....	106,000	0	0
Ditto, consol. duties on horses for husbandry, in lieu of 2 <i>s.</i> duty on husbandry, horses then repealed, at 95,000 <i>l.</i> per annum.....	95,000	0	0
Ditto, consol. duties on dogs, in lieu of that duty anno 1796, then repealed, at 70,500 <i>l.</i> per annum.....	68,929	17	3
Ditto, duties consol. anno 1798, in lieu of the duty of 10 <i>l.</i> per cent. anno 1796, then repealed, at 80,190 <i>l.</i> per annum.....	81,151	2	7 $\frac{1}{4}$
Computed annual saving by reducing the allowance for waste on salt.....	32,000	0	0
Taken out of consolidated customs, being the com- puted annual saving to the public, on account of the reduction in the drawback on the exporta- tion of sugar.....	116,676	5	8
	1,384,444	8	4 $\frac{1}{4}$

DUTIES pro anno 1797.

Pepper.....	161,893	8	10 $\frac{1}{2}$
Wrought plate.....	19	3	6
British spirits.....	107,535	0	0
Foreign ditto.....	157,964	16	0 $\frac{1}{4}$
Auctions.....	50,844	0	0
Carried forward.....	478,256	8	4 $\frac{1}{4}$

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	£.	s.	d.
Brought forward.....	478,256	8	4 $\frac{1}{4}$
Deeds	687,460	11	8
Cocoa	5,999	0	0
Clocks and watches (Arrears).....	14,966	2	5 $\frac{3}{4}$
Stages.....	69,739	0	9
Sugar, bricks, &c.	184,766	4	10 $\frac{1}{2}$
Bricks	23,033	0	0
Tea	310,255	3	4
Spirit licences, cap. 17,	59,000	0	0
Ditto, cap. 102.	7,750	0	0
20 $\frac{1}{2}$ per cent. on assessed taxes (Arrears)	52,126	5	4 $\frac{1}{4}$
Surplus of ditto, after reserving the sums directed by act 38 Geo. III. cap. 40 and 41.....		0	0 0
Ditto duties on horses for riding, &c. consolidated by ditto, cap. 41, after reserving the sums directed to be set apart	79,922	11	5 $\frac{3}{4}$
Ditto of ditto ditto husbandry, ditto by ditto, after ditto	174,940	4	3 $\frac{3}{4}$
Ditto of ditto on houses and windows, ditto by cap. 40. after ditto	304,497	19	7 $\frac{3}{4}$
Ditto of ditto on inhabited houses, ditto by ditto, after ditto	18,980	15	0 $\frac{1}{4}$
Ditto of ditto on male servants, ditto by cap. 41. after ditto	47,577	1	11 $\frac{3}{4}$
Ditto of letter money, after reserving the sum di- rected by act 37 Geo. III. cap. 18.....	265,444	0	0
	2,784,714	9	3 $\frac{1}{2}$
Proportionate part of surplus duty £. s. d. on sugar 1799.....	15,871	7	6
Money paid by Messrs Puget and Bainbridge, for interest, &c. on account of 1,500,000 $\frac{1}{2}$. (part of a loan of 14,500,000 $\frac{1}{2}$.) ad- vanced to the government of Ireland by act 37 Geo. III. cap. 144.	137,386	5	5
	153,257	12	11
	2,937,972	2	2 $\frac{1}{2}$

DUTIES pro anno 1798.

Armorial Bearings	29,732	0	8
Tea.....	151,889	16	3
Spirit licences	124,750	0	0
Surplus of duties on salt, after reserving the sum as directed by act 38 Geo. III. cap. 89	426,204	10	6 $\frac{1}{2}$
Carried forward.....	732,576	7	10 $\frac{1}{2}$

	£.	s.	d.
Brought forward.....	732,576	7	10½
Money paid by Messrs Puget and Bainbridge, for interest, &c. on account of 2,000,000 <i>l.</i> (part of loan of 17,000,000 <i>l.</i>) advanced to the government of Ireland, by act 38 Geo. III. cap. 90...	180,252	6	3
	912,828	14	1½

Brought to this account by act 38 Geo. III. cap. 76. and 39 Geo. III. out of duty on goods and shipping to replace the like sum issued out of consolidated fund, on account of loan of 8,000,000 <i>l.</i> anno 1798, before 5th April 1799.....	418,687	3	5¼
Ditto, but of ditto to satisfy charge in the year 1799.....	524,644	14	0¼
	943,331	17	6

DUTIES pro anno 1799.

Coffee and sugar	243,056	15	9
Small notes	9,821	18	0
	252,878	13	9

Money paid by Messrs. Puget and Bainbridge, for interest, &c. on account of 3,000,000 <i>l.</i> , part of a loan of 15,500,000 <i>l.</i> advanced to the Government of Ireland by act 39 Geo. III. cap. 114...	108,598	12	6
	361,477	6	3

Brought to this account by acts 39 Geo. III. cap. 13. and cap. 3. sess. 2. out of duty on goods and shipping	52,628	12	3
Ditto, out of duties on income.....	206,250	0	0
	258,878	12	3

Total income of the consolidated fund, applicable towards paying the charge existing prior to the year 1793.....	14,654,760	10	8½
Total duties imposed towards defraying additional charge, created anno 1793.....	314,086	6	7½
Ditto..ditto..ditto.. 1794.....	706,362	15	5½
Ditto..ditto..ditto.. 1795.....	1,611,424	11	11¼
Ditto..ditto..ditto.. 1796.....	1,334,444	8	4¼
Ditto..ditto..ditto.. 1797.....	2,937,972	2	2½
Ditto..ditto..ditto.. 1798.....	1,856,160	11	7½
Ditto..ditto..ditto.. 1799.....	620,355	18	6

Carried forward..... 24,035,567 5 5¼

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	£.	s.	d.
Brought forward	24,035,567	5	5 $\frac{1}{4}$
Money paid by Abraham Newland, Esq. on account of the commissioners for issuing exchequer bills for the relief of the Grenada merchants, &c. by act 35 Geo. III.	192,000	0	0
	24,227,567	5	5 $\frac{1}{4}$
Brought to this account from supplies 1800, out of exchequer bills made forth by virtue of an act 39 Geo. III. sess. 2. cap. 3. for granting cer- tain duties upon personal estates, to replace the like sum issued out of the consolidated fund, as on the other side	140,000	0	0
	24,376,567	5	5 $\frac{1}{4}$
Canal and dock duty, brought to this account by act 39 Geo. III. cap. 69.	7,612	12	0
Total income of the consolidated fund, in the year ended 5th January 1800	24,384,179	17	5 $\frac{1}{4}$

CHARGE.

Actual Payment out of
the Consolidated Fund,
in the Year ended 5th
January 1800.

Future Annual Charge
upon the Consolidated
Fund, as it stood on the
5th January 1800.

EXCHEQUER :	£.	s.	d.	£.	s.	d.
Annuities for long terms, 14l. per cent.	48,515	2	6	48,515	2	6
Ditto, 2-7ths excise	6,365	12	0	6,365	12	0
Ditto, 3,700l. per week	31,830	6	8	31,830	6	8
Ditto, anno 1706	24,724	11	6	24,724	11	6
Ditto, anno 1707	8,152	2	2	8,152	2	2
Ditto, per 1st act, anno 1708	4,918	12	7	4,918	12	7
Ditto, 2d act, anno 1708	10,597	5	3	10,597	5	3
Ditto, 2 and 3 lives	8,195	12	0	8,195	12	0
Ditto, single lives, anno 1745	12,318	5	0	12,318	5	0
Ditto, anno 1746	22,466	10	0	22,466	10	0
Ditto, anno 1757	24,567	5	0	24,567	5	0
Ditto, anno 1778	2,769	13	0	2,769	13	0
Ditto, anno 1779	5,174	18	7	5,174	18	7
Ditto, with benefit of survivor- ship, 1766	540	0	0	540	0	0
Ditto, 1789	42,862	1	0	42,862	1	0

SOUTH-SEA COMPANY :

On their present capital of 24,665,084l. 13s. 11 $\frac{1}{2}$ d. at 8 per cent. per annum	735,974	13	11	735,974	13	11
Carried forward	989,972	11	2	989,972	11	2

	£.	s.	d.	£.	s.	d.
Brought forward.....	989,972	11	2	989,972	11	2

CHIEF CASHIER OF THE SOUTH-SEA COMPANY:

Annuities on 1,919,600 <i>l.</i> at 3 per cent. per annum	58,359	16	1½	58,355	11	9
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BANK OF ENGLAND:

On their capital of 4,000,000 <i>l.</i> purchased of the South-Sea Company, with charges of management, at 3 <i>l.</i> per cent. per ann.	121,898	3	5	121,898	3	5
Annuities on 500,000 <i>l.</i> for cancelling exchequer bills, at ditto	15,000	0	0	15,000	0	0
Ditto on 1,250,000 <i>l.</i> granted anno 1714, at ditto.....	37,500	0	0	37,500	0	0
Ditto on 1,750,000 <i>l.</i> granted anno 1719, at ditto.....	52,500	0	0	52,500	0	0
Ditto on 3,200,000 <i>l.</i> granted anno 1743, with charges of management, at ditto.....	100,000	0	0	100,000	0	0
Ditto on 986,000 <i>l.</i> granted anno 1746, at ditto.....	29,604	0	0	29,604	0	0

CHIEF CASHIER OF THE BANK OF ENGLAND:

Annuities on 100,266,397 <i>l.</i> 14 <i>s.</i> 11¼ <i>d.</i> the present capital of 3 <i>l.</i> per cent. consol. annuities, with charges of management	3,101,999	18	7¼	3,045,630	19	10½
Ditto on 36,540,001 <i>l.</i> 1 <i>s.</i> 6 <i>d.</i> the present capital of 3 <i>l.</i> per cent. reduced annuities, with ditto.....	1,184,046	8	1¼	1,108,794	6	3½
Ditto on 1,000,000 <i>l.</i> at 3 <i>l.</i> per cent. granted anno 1726, with ditto.....	30,450	0	0	30,450	0	0
Ditto on 32,750,000 <i>l.</i> consolidated 4 <i>l.</i> per cent. annuities, with ditto.....	1,324,509	7	0	1,324,509	7	0
Ditto for 92, 98, 80, 78, 77, 75½, and 69¼ years, granted annis 1761, 1762, 1780, 1782, 1783, 1784, and 1796, with management...	712,668	11	6½	712,668	11	6½
Ditto for 10 years, granted anno 1777.....	25,000	0	0	25,000	0	0
Carried forward.....	7,783,508	10	11½	7,651,883	4	0½

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	£.	s.	d.	£.	s.	d.
Brought forward.....	7,783,508	10	11½	7,651,883	4	0½
Annuities for 30 and 29 years, granted 1778 and 1779, and for 18½ years, anno 1790, in lieu of life annuities at the exchequer, anno 1789, with charges of management....	423,039	5	9½	423,039	5	9½
Ditto for * 17,869,993/ 9s. 10d. consolidated at 5/ per cent. annuities, with charges of management	901,541	3	5½	901,541	3	5½
For the support of his majesty's household	898,000	0	0	898,000	0	0
Edward Roberts, Esq. first clerk to the clerk of the pells, on 650/ per annum, formerly paid to the auditor of the re- ceipt of his majesty's ex- chequer, for salaries to the officers of the Exchequer Bill Office, but now payable to him by act 23 Geo. III....	650	0	0	650	0	0
Anne Caff, late office-keeper in the office for managing the former duties on wine li- cences	20	0	0	20	0	0
The Judges of England, in aug- mentation of their salaries..	13,050	0	0	13,050	0	0
Duke of Gloucester on his an- nuity	8,000	0	0	8,000	0	0
Ditto on ditto	9,000	0	0	9,000	0	0
Duke of York on ditto	14,000	0	0	14,000	0	0
Duchess of York on ditto ...	4,000	0	0	4,000	0	0
Duke of Clarence on ditto...	12,000	0	0	12,000	0	0
Representatives of Arthur On- slow, Esq. on ditto	3,000	0	0	3,000	0	0
Earl of Chatham on ditto.....	4,000	0	0	4,000	0	0
Lord Rodney on ditto	2,000	0	0	2,000	0	0
Lord Heathfield on ditto	1,500	0	0	1,500	0	0
Lady Dorchester on her ditto..	1,000	0	0	1,000	0	0
Marquis of Bute on his ditto..	7,000	0	0	7,000	0	0
Philip Deare, Esq. on ditto ..	300	0	0	300	0	0
John Wigglesworth, Esq. on ditto	300	0	0	300	0	0
Charles Harris, Esq. on ditto..	200	0	0	200	0	0
Carried forward.....	10,086,109	0	2½	9,954,483	13	3½

	£.	s.	d.	£.	s.	d.
Brought forward.....	10,086,109	0	2½	9,954,488	13	3½
Sir William Musgrave, Bart. late one of the commissioners for auditing the public ac- counts on ditto	439	11	2½	0	0	0
William Chamberlayne, Esq. late another on ditto.....	841	19	0¼	0	0	0
John Thomas Batt, Esq. one of the commissioners for ditto..	1,000	0	0	1,000	0	0
Reginald Pole Carew, Esq. an- other.....	560	8	9½	1,000	0	0
Sir John Dick, another.....	500	0	0	500	0	0
John Martin Leake, Esq. an- other.....	500	0	0	500	0	0
Salaries to clerks, and contin- gencies in the office of the said commissioners	6,000	0	0	6,000	0	0
John Penn, Esq. of Stoke Pogis, Berks, on his annuity	3,000	0	0	3,000	0	0
Richard Penn, Esq. of Queen- Anne Street, on his annuity	1,000	0	0	1,000	0	0
Master of his majesty's mint in England.....	6,650	0	0	13,800	0	0
Ditto in Scotland	1,200	0	0	1,200	0	0
For the encouragement of the growth of hemp and flax in England and Scotland	6,335	15	0	6,335	15	0
For the sheriffs of England and Wales	4,000	0	0	4,000	0	0
The commissioners appointed for the reduction of the national debt, by act 26 Geo. III. ...	1,000,000	0	0	1,000,000	0	0
Charles Duke of Richmond, on his annuity of 19,000 <i>l.</i> by act 39 Geo. III.	9,500	0	0	19,000	0	0
Clerks in the office of the Clerk of the Pells, for their service in executing the acts 29 and 30 Geo. III. for granting annuities on lives.....	880	0	0	880	0	0
INCIDENTAL CHARGES:						
The representatives of the late usher of the receipt of the ex- chequer, for necessaries sup- plied to the several new offices of the said exchequer	147	0	9	Uncertain.		
Carried forward.....	11,128,663	15	0¼	11,012,699	8	3½

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APPENDIX.

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	£.	s.	d.	£.	s.	d.
Brought forward.....	11,128,663	15	0 $\frac{1}{4}$	11,012,699	8	3 $\frac{1}{2}$
George Atwood, Esq. in- specter of tontine certifi- cates, to defray certain ex- pences attending the exe- cution of an act 30 G. III.	700	0	0	} Uncertain.		
Chief cashier of the Bank of England, to reimburse so much paid for fees of va- rious natures at the Ex- chequer, Treasury, &c. in relation to his account of the several Bank annuities	0	0	0			
Right Hon. Henry Adding- ton, speaker of the House of Commons, to complete 6,000 <i>l.</i> per annum	2,291	12	6			
John Reeves, Esq. late re- ceiver of the seven public offices of police, establish- ed pursuant to act 32 Geo. III. to pay the salaries of clerks, &c. of the said offices	9,000	0	0			
Joseph Baldwin, Esq. now ditto	3,000	0	0			
Thomas Cotton, Esq. for the balance of his declared ac- count of money by him re- ceived and expended for the relief of persons con- nected with and trading to the islands of St. Vincent and Grenada, in the years 1797 and 1798, pursuant to acts 35 and 37 G. III.	134	15	6			
Charles Townshend, Esq. for allowances to clerks and reimbursements of fees at- tending the passing his ac- count relating to tontine annuities anno 1789	49	13	0			
Clerk of the Hanaper	2,024	11	10			
Total charge upon consoli- dated fund, existing prior to the year 1793	11,145,774	7	10 $\frac{1}{4}$	11,012,699	8	3 $\frac{1}{2}$

Note, The capital stock of 3*l.* per cent. consolidated annuities was heretofore 107,399,696*l.* 5*s.* 1 $\frac{1}{4}$ *d.* but is reduced as above by reason of 7,133,298*l.* 10*s.* 2*d.* transferred to the commissioners for the reduction

of the national debt, on account of land tax redeemed before 5th January 1800; and the capital of 3*l.* per cent. reduced annuities was 41,540,073*l.* 16*s.* 4*d.* but is now reduced as above by 5,000,072*l.* 14*s.* 10*d.* transferred in like manner before 10th October 1799: on which capitals so transferred the interest and management ceases to be paid.

DEBT incurred in respect of 4,500,000*l.* raised anno 1793:

	£.	s.	d.	£.	s.	d.
Annuities on 6,250,000 <i>l.</i> at 3 <i>l.</i> per cent. added to 3 <i>l.</i> per cent. consolidated annuities, with charges of management	190,312	10	0	..	190,312	10 0
Ditto at 1 <i>l.</i> per cent. on capitals funded since 5th January 1793, payable to the commissioners appointed for the reduction of the national debt	62,500	0	0	..	62,500	0 0
Total charges for debt incurred in the year 1793	252,812	10	0	..	252,812	10 0

DEBT incurred in respect of 11,000,000*l.* raised anno 1794, and by reason of navy and victualling bills, made out before 1st March 1793, being funded:

Annuities on 11,000,000 <i>l.</i> at 3 <i>l.</i> per cent. added to 3 <i>l.</i> per cent. consolidated annuities; with charges of management	334,950	0	0	..	334,950	0 0
Ditto on 2,750,000 <i>l.</i> at 4 <i>l.</i> per cent. added to 4 <i>l.</i> per cent. consolidated annuities, with ditto	111,237	10	0	..	111,237	10 0
Ditto for 66½ years, at 11 <i>s.</i> 5 <i>d.</i> per cent. added to long consolidated Bank annuities, with ditto	63,498	1	5½	..	63,498	1 5½
Ditto on 1,926,525 <i>l.</i> 12 <i>s.</i> 5 <i>d.</i> at 5 <i>l.</i> per cent. consolidated annuities, on account of navy bills, &c. cancelled, with charges of management	97,193	4	4	..	97,193	4 4
Ditto 1 <i>l.</i> per cent. payable to the commissioners for the reduction of the national debt	166,445	5	0	..	166,445	5 0
Total charge for debt incurred in the year 1794	773,324	0	9½	..	773,324	0 9½

APPENDIX.

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DEBT incurred in respect of 18,000,000*l.* raised anno 1795, and by reason of navy and victualling bills, made out before 30th September 1793, being funded :

	£.	s.	d.	£.	s.	d.
Annuities on 18,000,000 <i>l.</i> at 3 <i>l.</i> per cent. added to 3 <i>l.</i> per cent. consolidated annuities, with charges of management	548,100	0	0	548,100	0	0
Ditto on 6,000,000 <i>l.</i> at 4 <i>l.</i> per cent. added to 4 <i>l.</i> per cent. consolidated annuities, with ditto	242,700	0	0	242,700	0	0
Ditto for 65 $\frac{1}{4}$ years, at 9 <i>s.</i> 6 <i>d.</i> per cent. added to long consolidated Bank annuities, with ditto	86,461	17	6	86,461	17	6
Ditto on 1,609,897 <i>l.</i> 17 <i>s.</i> 1 <i>d.</i> at 5 <i>l.</i> per cent. added to 5 <i>l.</i> per cent. consolidated annuities, on account of navy bills, &c. cancelled, with charges of management	81,219	6	11	81,219	6	11
Ditto 1 <i>l.</i> per cent. payable to the commissioners for the reduction of the national debt	268,933	19	6	268,933	19	6
Total charge for debt incurred in the year 1795	1,227,415	3	11	1,227,415	3	11

DEBT incurred in respect of 18,000,000*l.* and 7,500,000*l.* raised anno 1796, and by reason of navy bills, &c. made out before the 30th September 1795, being funded :

By 18,000,000*l.* raised anno 1796:

Annuities on 21,595,800 <i>l.</i> at 3 <i>l.</i> per cent. added to 3 <i>l.</i> per cent. consolidated annuities, with charges of management	657,592	2	2	657,592	2	2
Ditto on 4,500,000 <i>l.</i> at 3 <i>l.</i> per cent. added to 3 <i>l.</i> per cent. reduced annuities, with ditto	137,025	0	0	137,025	0	0
Ditto for 64 $\frac{1}{4}$ years, at 6 <i>s.</i> 6 <i>d.</i> per cent. added to the long consolidated Bank annuities, with ditto	59,158	2	6	59,158	2	6
Carried forward	853,775	4	8	853,775	4	8

	£.	s.	d.	£.	s.	d.
Brought forward.....	853,775	4	8	853,775	4	8
By 7,500,000 <i>l.</i> raised anno 1796 :						
Annuities on 8,934,200 <i>l.</i> at 3 <i>l.</i> per cent. added to 3 <i>l.</i> per cent. consolidated annuities, with charges of management	272,046	7	9½	272,046	7	9½
Ditto on 1,859,625 <i>l.</i> at 3 <i>l.</i> per cent. added to 3 <i>l.</i> per cent. reduced annuities, with ditto	56,625	11	7	56,625	11	7
Ditto for 63½ years, at 5 <i>s.</i> 6 <i>d.</i> per cent. added to long con- solidated Bank annuities, with ditto.....	20,813	18	6	20,813	18	6
Annuities on 4,414,074 <i>l.</i> 4 <i>s.</i> 6 <i>d.</i> at 5 <i>l.</i> per cent. added to 5 <i>l.</i> per cent. consolidated an- nuities, on account of navy bills, &c. cancelled.....	222,690	0	10½	222,690	0	10½
Ditto at 1 <i>l.</i> per cent. on the above sums, payable to the commissioners for the reduc- tion of the national debt....	424,421	19	10	424,421	19	10
Total charge for debt incurred in the year 1796	1,850,873	3	3	1,850,873	3	3
DEBT incurred in respect of 14,500,000 <i>l.</i> and 18,000,000 <i>l.</i> raised anno 1797, and by reason of navy and exchequer bills being funded :						
By 14,500,000 <i>l.</i> created anno 1797 :						
Annuities on 18,125,000 <i>l.</i> at 3 <i>l.</i> per cent. consolidated an- nuities, with charges of ma- nagement	551,906	5	0	551,906	5	0
Ditto on 7,250,000 <i>l.</i> at 3 <i>l.</i> per cent. added to 3 <i>l.</i> per cent. reduced annuities, with ditto.....	220,762	10	0	220,762	10	0
Ditto on 2,900,000 <i>l.</i> at 4 <i>l.</i> per cent. added to 4 <i>l.</i> per cent. consolidated annuities, with ditto.....	117,305	0	0	117,305	0	0
Carried forward.....	889,973	15	0	889,973	15	0

APPENDIX.

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	£.	s.	d.		£.	s.	d.
Brought forward.....	889,973	15	0	..	889,973	15	0
Annuities for 62 $\frac{3}{4}$ years, at 6s. per cent. added to long con- solidated Bank annuities, with charges of management	43,989	7	6	..	43,989	7	6
By navy bills funded:							
Annuities on 16,438,175 <i>l.</i> 5 <i>s.</i> at 3 <i>l.</i> per cent. added to 3 <i>l.</i> per cent. consolidated annui- ties, created on account of navy bills funded; with charges of management	500,542	8	8 $\frac{1}{2}$	..	500,542	8	8 $\frac{1}{2}$
Ditto on 765,427 <i>l.</i> 11 <i>s.</i> 6 <i>d.</i> at 4 <i>l.</i> per cent. added to 4 <i>l.</i> per cent. consolidated annuities, created on account of navy bills funded, with ditto....	30,961	10	10	..	30,961	10	10
Ditto on 2,034,889 <i>l.</i> 11 <i>s.</i> 1 <i>d.</i> at 5 <i>l.</i> per cent. added to 5 <i>l.</i> per cent. consolidated annui- ties, created on account of navy bills funded, with ditto	102,660	3	6	..	102,660	3	6
By exchequer bills funded:							
Annuities on 1,999,699 <i>l.</i> 4 <i>s.</i> 4 <i>d.</i> at 3 <i>l.</i> per cent. added to 3 <i>l.</i> per cent. consolidated an- nuities, created on account of exchequer bills funded; with charges of management....	60,890	16	9 $\frac{1}{2}$	..	60,890	16	9 $\frac{1}{2}$
Ditto on 104,432 <i>l.</i> 5 <i>s.</i> 8 <i>d.</i> at 4 <i>l.</i> per cent. added to 4 <i>l.</i> per cent. consolidated annuities, created on account of exche- quer bills funded, with ditto	4,224	5	8 $\frac{1}{2}$	..	4,224	5	8 $\frac{1}{2}$
Ditto on 270,202 <i>l.</i> 4 <i>s.</i> 8 <i>d.</i> at 5 <i>l.</i> per cent. added to 5 <i>l.</i> per cent. consolidated annuities, created on account of exche- quer bills funded, with ditto	13,631	14	0	..	13,631	14	0
By 18,000,000 <i>l.</i> raised anno 1797:							
Annuities on 20,124,843 <i>l.</i> 15 <i>s.</i> at 5 <i>l.</i> per cent. with charges of management	1,015,298	7	4	..	1,015,298	7	4
Annuities at 1 <i>l.</i> per cent. on the above sums, payable to the commissioners for the re- duction of the national debt	706,046	13	7	..	706,046	13	7
	3,368,219	2	11 $\frac{1}{2}$	..	3,368,219	2	11 $\frac{1}{2}$

DEBT incurred in respect of 17,000,000*l.* raised anno 1798 :

By 9,000,000*l.* part of 17,000,000*l.*
raised anno 1798 :

Annuities on 13,500,000 <i>l.</i> at 3 <i>l.</i> per cent. added to 3 <i>l.</i> per cent. consolidated annuities (in respect of 9,000,000 <i>l.</i> part of 17,000,000 <i>l.</i>) with charges of management....	£.	s.	d.	£.	s.	d.
	417,150	0	0	..	411,075	0 0
Ditto on 4,500,000 <i>l.</i> at 3 <i>l.</i> per cent. added to 3 <i>l.</i> per cent. reduced annuities (in respect of the said 9,000,000 <i>l.</i>) with ditto.....	149,014	3	10	..	137,025	0 0
Ditto for 61 $\frac{3}{4}$ years at 4 <i>s.</i> 11 <i>d.</i> per cent. added to long con- solidated Bank annuities, with ditto.....	24,061	2	0	..	22,378	18 1 $\frac{1}{2}$
Ditto at 1 <i>l.</i> per cent. on the above sum, payable to the commissioners for the reduc- tion of the national debt...	182,880	0	0	..	182,880	0 0
	773,105	5	10	..	753,353	18 1 $\frac{1}{2}$

By 8,000,000*l.* part of 17,000,000*l.*
raised anno 1798 :

Annuities on 12,000,000 <i>l.</i> at 3 <i>l.</i> per cent. added to 3 <i>l.</i> per cent. consol. annuities (in respect of 8,000,000 <i>l.</i> remainder of the said 17,000,000 <i>l.</i>) with charges of management.....	370,800	0	0	..	365,400	0 0
Ditto on 4,000,000 <i>l.</i> at 3 <i>l.</i> per cent. added to 3 <i>l.</i> per cent. reduced annuities (in respect of the said 8,000,000 <i>l.</i>) with charges of management....	132,457	1	2	..	121,800	0 0
Ditto for 61 $\frac{3}{4}$ years at 4 <i>s.</i> 11 <i>d.</i> per cent. added to long con- solidated Bank annuities, with ditto.....	21,387	12	10 $\frac{1}{4}$	..	19,888	13 4
Total charge for debt incurred anno 1798	1,297,749	19	10 $\frac{1}{4}$	..	1,260,442	11 5 $\frac{1}{2}$

APPENDIX.

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DEBT incurred in respect of 3,000,000*l.* and 15,500,000*l.* anno 1799 :

By 3,000,000*l.* raised :

Annuities on 3,000,000 <i>l.</i> at 3 <i>l.</i> per cent. added to 3 <i>l.</i> per cent. consolidated annuities, with charges of management	£.	s.	d.	£.	s.	d.
Ditto on 2,624,250 <i>l.</i> at 3 <i>l.</i> per cent. added to 3 <i>l.</i> per cent. re- duced annuities, with ditto....	90,000	0	0..	91,350	0	0
Ditto at 1 <i>l.</i> per cent. on the above sums, payable to the commif- sioners for the reduction of the national debt	78,727	10	0..	79,908	8	2½
	56,242	10	0..	56,242	10	0
	224,970	0	0..	227,500	18	2½

By 4,500,000*l.* part of 15,500,000*l.*
raised anno 1799 :

Annuities on 5,625,000 <i>l.</i> at 3 <i>l.</i> per cent. added to 3 <i>l.</i> per cent. consolidated annuities, in re- spect of 4,500,000 <i>l.</i> (part of 15,500,000 <i>l.</i>) with charges of management.....	£.	s.	d.	£.	s.	d.
Ditto on 2,250,000 <i>l.</i> at 3 <i>l.</i> per cent. added to 3 <i>l.</i> per cent. re- duced annuities, in respect of the said 4,500,000 <i>l.</i> with ditto ...	84,375	0	0..	171,281	5	0
Ditto at 1 <i>l.</i> per cent. on the above sums, payable to the commif- sioners for the reduction of the national debt	21,529	17	9..	68,512	10	0
	39,375	0	0..	78,570	0	0
	370,249	17	9..	546,044	13	2½

By 11,000,000*l.* part of 15,500,000*l.*
raised anno 1799 :

Annuities on 13,750,000 <i>l.</i> at 3 <i>l.</i> per cent. added to 3 <i>l.</i> per cent. consolidated annuities (in respect of 11,000,000 <i>l.</i> remainder of the said 15,500,000 <i>l.</i>) with charges of management.....	£.	s.	d.	£.	s.	d.
Ditto on 5,500,000 <i>l.</i> at 3 <i>l.</i> per cent. added to 3 <i>l.</i> per cent. re- duced annuities (in respect of the said 11,000,000 <i>l.</i>) with charges of management	206,250	0	0..	418,687	10	0
	52,628	12	3..	167,475	0	0
Total charge for debt incurred anno 1799.....	629,128	10	0..	1,132,207	3	2½

Total charge upon consolidated fund for debt existing prior to the year 1793	£.	s.	d.	£.	s.	d.
	11,145,774	7	10 $\frac{1}{4}$	11,012,699	8	8 $\frac{1}{2}$
Total charge for interest, management, and 1% per cent. of debt incurred anno 1793	252,812	10	0	252,812	10	0
Ditto..ditto..1794.....	773,324	0	9 $\frac{1}{2}$	773,324	0	9 $\frac{1}{2}$
Ditto..ditto..1795.....	1,227,415	3	11	1,227,415	3	11
Ditto..ditto..1796.....	1,850,373	3	3	1,850,373	3	3
Ditto..ditto..1797.....	3,368,219	2	11 $\frac{1}{2}$	3,368,219	2	11 $\frac{1}{2}$
Ditto..ditto..1798.....	1,297,749	19	10 $\frac{3}{4}$	1,260,442	11	5 $\frac{1}{2}$
Ditto..ditto..1799.....	629,128	10	0	1,132,207	3	2 $\frac{1}{2}$
	20,544,796	18	8	20,877,493	3	10 $\frac{1}{2}$

To pay off and cancel exchequer bills made forth by act 35 Geo. III. for the relief of the Grenada merchants, &c.....

1,161 16 6

Thomas Marham, Esq, Secretary to the commissioners for issuing the said exchequer bills, for defraying necessary expences

1,000 0 0

} Uncertain.

20,546,958 15 2

To the paymasters of exchequer bills, to be paid over to the governor and company of the Bank of England, agreeable to contract, to complete the discharge of 200,000*l.* at 5th July 1799, of exchequer bills issued by act 39 Geo. III. for granting certain duties on personal estates, &c. .

* 149,000 0 0 .. Nil.

20,695,958 15 2 ..

To Richard Clarke, Esq. chamberlain of the city of London, in part of 72,000*l.* authorised to be issued out of the consolidated fund by act 39 Geo. III. cap. 69.

+20,000 0 0 .. Uncertain.

Carried forward.. 20,715,958 15 2 .. 20,877,493 3 10 $\frac{1}{2}$

* This was repaid out of supplies anno 1800.

† The sums to be advanced for this service are to be repaid, with 5*l.* per cent. interest, from the duties created by the above act.

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	£.	s.	d.		£.	s.	d.
Brought forward..	20,715,958	15	2	..	20,877,493	3	10½

Addl Charge for which no addl provision has been made :

His Royal Highness George Prince of Wales, on his annuity of 65,000*l.* granted by act 35 Geo. III.

65,000	0	0	..	65,000	0	0
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His Royal Highness Edward Duke of Kent, on 12,000*l.* by act 39 Geo. III.

12,000	0	0	..	12,000	0	0
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His Royal Highness Ernest Augustus Duke of Cumberland, ditto, ditto.....

12,000	0	0	..	12,000	0	0
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John Earl St. Vincent, on his annuity of 2,000*l.* granted by act 33 Geo. III.

2,000	0	0	..	2,000	0	0
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Adam Visc. Duncan, on do.

2,000	0	0	..	2,000	0	0
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Horatio Baron Nelson, ditto

2,000	0	0	..	2,000	0	0
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Sir James Marriott, ditto 39 Geo III.

2,471	5	3	..	2,000	0	0
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James Morrison, Esq. receiver of fees and emoluments in the office of master of the mint, in the tower of London, by act 39 Geo. III. cap. 94.....

1,793	17	7
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} Uncertain.

The Judges of England, in augmentation of their salaries, by act 39 Geo. III. cap. 110.

353	16	5
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20,815,577	14	5	..	20,974,493	3	10½
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Conditional Charge for which no addl provision was made :

Created anno 1795 :

Annuities on 3,833,333*l.* 6*s.* 8*d.* at 3*l.* per cent. created by an act 35 Geo. III. by reason of 4,500,000*l.* advanced to the Emperor of Germany;—his imperial majesty having neglected to make provision for payment of the said annuities, they are by the said act payable out of the consolidated fund, with charges of management.....

116,725	0	0	..	Uncertain.
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Carried forward.....	20,932,302	14	5	..	20,974,493	3	10½
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4 L 2

	£.	s.	d.	£.	s.	d.
Brought forward.....	20,932,802	14	5	20,974,498	3	10½

Created anno 1795 :

Annuities for 25 years, created by the said act, with charges of management..	232,587	10	0			
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Created anno 1797 :

Annuities on 8,669,300*l.* at 3*l.* per cent. created by act 37 Geo. III. by reason of 1,620,000*l.* advanced to the Emperor of Germany ; his imperial majesty having neglected to make provision for payment of the said annuities, they are by the said act payable out of the consolidated fund, with charges of management..

111,678 12 8¼

Annuity at 1*l.* per cent. on the above sum, payable to the commissioners for the reduction of the national debt.....

36,698 0 0

Uncertain.

Total of the actual payment out of, and future charges upon, the consolidated fund, for the year ended

5th January 1800.....	21,313,261	17	1¼	20,974,498	3	10½
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Exchequer, the
5th day of March 1800.

THOMAS FORSTER.

No. II.

*To the Honourable the Knights, Citizens, and Burgeſſes,
in Parliament aſſembled.*

An ACCOUNT of the NET PRODUCE of all the PERMANENT TAXES, exiſting before the Year 1793; and alſo of the TAXES impoſed in each ſubſequent Year; taken for Two Years, ending reſpectively upon 5th January 1799 and 5th January 1800.

In the Years ending 5th January

1799.

1800.

Confolidated Customs, after deducting 116,676 <i>l.</i> 5 <i>s.</i> 8 <i>d.</i> by act 37 Geo. III. cap. 15. to be carried to account of duties pro anno 1796, being the annual average ſaving to the public on account of the reduction in the drawback on the exportation of ſugar	£.	s.	d.	£.	s.	d.
Confolidated Excise Duties	3,667,970	16	5½	3,291,169	5	6½
Reſerved by act 34 Geo. III. cap. 20. out of exciſe duty on paper, anno 1794, in lieu of duties then repealed, at 75,000 <i>l.</i> per ann.	75,000	0	0	75,000	0	0
Reſerved by ditto, cap. 38. out of ditto on ſpirit licences, an. 1794, in lieu of ditto, at 36,000 <i>l.</i> per ann.	18,000	0	0	14,750	0	0
Confolidated Stamp Duties	1,026,604	14	5	1,087,118	14	6
Reſerved by act 33 Geo. III. cap. 28. out of ſtamp duty on bills and receipts, anno 1793, in lieu of duties then repealed; at 128,600 <i>l.</i> per annum	128,600	0	0	128,600	0	0
Reſerved by ditto 36 G. III. cap. 125. out of ditto on hats, anno 1796, in lieu of ditto, at 9,479 <i>l.</i> 11 <i>s.</i> per annum	9,355	13	3	9,603	8	9
Reſerved by ditto, cap. 52. out of ditto on legacies, anno 1796, in lieu of ditto, at 41,079 <i>l.</i> per annum	60,742	6	2	41,079	0	0
	12,221,170	6	8½	11,541,322	18	9½

INCIDENTS.	1799.			1800.		
	£.	s.	d.	£.	s.	d.
Reserved by act 37 Geo. III. cap. 18. out of consolidated letter money, being the computed annual produce of that duty prior to the year 1795	410,556	0	0 ..	410,556	0	0
Reserved by 38 Geo. III. cap. 89, out of consolidated duty on salt, in lieu of duties then repealed, at 406,220 <i>l.</i> per annum.....	423,765	6	4½..	406,220	0	0
Reserved by act 38 Geo. III. cap. 40 and 41. in lieu of duties then repealed, out of consolidated duties on houses and windows, anno 1798, at 327,900 <i>l.</i> per annum.....	371,112	11	3¼..	327,900	0	0
Ditto.. ditto.. at 515,000 <i>l.</i> per annum, being the annual sum directed to be set apart for commutation duty.....	0	0	0 ..	552,117	7	3¼
Ditto... ditto.. on inhabited houses, an. 1798, at 148,600 <i>l.</i> per annum.....	167,390	13	4¼..	148,600	0	0
Ditto.. ditto.. on male servants, ditto, at 93,000 <i>l.</i> per annum	104,649	9	10¼..	93,000	0	0
Ditto.. ditto.. on horses used for riding, &c. anno 1798, at 106,000 <i>l.</i> per annum.....	135,697	15	8¼..	106,000	0	0
Ditto.. ditto.. on four and two-wheeled carriages, anno 1798, at 200,000 <i>l.</i> per annum....	226,568	2	4½..	200,000	0	0
Seizures.....	48,752	3	2 ..	36,383	19	1½
Profers.....	625	16	0 ..	609	12	3
Alum mines.....	960	0	0 ..	960	0	0
Compositions.....	2	13	4 ..	471	10	8
Deductions of 6 <i>d.</i> per lib. on pensions.....	50,640	0	0 ..	45,720	0	0
Ditto of 1 <i>s.</i> ditto on salaries..	68,565	5	4 ..	45,120	10	2½
Hawkers and pedlars.....	4,954	3	6 ..	5,897	0	0
Hackney coaches.....	23,800	0	0 ..	23,700	0	0
Lottery licences.....	910	6	1 ..	970	1	10
First fruits of the clergy.....	3,549	9	0 ..	3,814	8	6
Tenths of ditto.....	9,872	5	6½..	9,902	4	6¼
Rent of a light-house.....	6	13	4 ..	6	13	4
Alienation duty.....	1,798	19	4 ..	1,819	2	0
Arrears of duty on shops, female servants, and carts.....	136	4	5 ..	0	0	0
Ditto on waggons.....	2	16	0 ..	2	0	0
	2,054,316	14	0½..	2,419,770	15	9½

APPENDIX.

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DUTIES pro anno 1793.	1799.			1800.		
	£.	s.	d.	£.	s.	d.
British spirits 1791.....	88,943	0	0 ..	108,916	0	0
Game duty	16,882	1	3 ..	27,673	4	0
Surplus of duty on bills and receipts, after reserving the average produce as aforesaid	46,990	7	8 ..	87,891	10	1
Reserved out of duties consolidated by acts 1798, cap. 40 and 41. in lieu of the duty of 10/. per cent. then repealed	65,719	19	6 $\frac{1}{4}$..	89,605	12	6 $\frac{1}{2}$
	218,535	8	5 $\frac{3}{4}$..	314,086	6	7 $\frac{1}{2}$

DUTIES pro anno 1794.						
Sugar 1791 (arrears in 1800) ..	277,255	17	1 $\frac{1}{2}$..	60,870	9	1 $\frac{1}{2}$
Foreign spirits.....	131,650	0	0 ..	161,027	0	0
British spirits, 1794	88,428	0	0 ..	110,041	0	0
Foreign ditto	126,796	0	0 ..	156,915	17	5
Surplus of spirit licences, after reserving the average produce as aforesaid	59,851	10	0 ..	0	0	0
Ditto paper (excise) after ditto	79,734	0	0 ..	75,143	0	0
Paper (customs)	7,185	6	1 $\frac{1}{2}$..	3,277	3	5
Glass.....	42,916	0	0 ..	45,123	0	0
Bricks and tiles (customs)	60	15	3 ..	8	8	3
..... (excise)	44,529	0	0 ..	43,270	0	0
Slates and stones	13,063	3	5 $\frac{1}{2}$..	11,777	9	11
Attornies articles.....	19,126	1	4 ..	21,979	18	0
	890,595	13	3 $\frac{1}{2}$..	689,433	6	1 $\frac{1}{2}$

DUTIES pro anno 1795.						
British spirits	89,037	0	0 ..	106,603	0	0
Foreign ditto.....	127,025	0	0 ..	156,717	6	6 $\frac{1}{4}$
Wines	397,299	0	0 ..	557,171	0	0
Sweets.....	5,995	0	0 ..	7,751	0	0
Cocoa	22,723	0	0 ..	22,187	0	0
Stamps	34,413	18	3 ..	39,471	10	6
Ship policies	101,419	8	9 ..	148,693	2	6
Hair-powder certificates	157,617	6	3 ..	131,881	13	8
Receipts	7,550	3	5 ..	8,537	7	8
Fruit, silk, &c.	106,436	19	4 ..	105,796	18	7 $\frac{1}{2}$
Coals.....	16,783	5	9 $\frac{1}{2}$..	11,326	2	5
Tea	221,681	0	0 ..	259,538	10	0
Spirit licences	29,101	10	0 ..	15,750	0	0
Reserved out of consolidated letter money, being the commuted annual increase of revenue by reason of the restriction on franking by act 37 Geo. III. cap. 18.....	40,000	0	0 ..	40,000	0	0
	1,357,082	11	9 $\frac{1}{2}$..	1,611,424	11	11 $\frac{1}{2}$

DUTIES pro anno 1796.	1799.			1800.		
	£.	s.	d.	£.	s.	d.
Tobacco	178,049	0	0 ..	186,183	0	0
Horse-dealers licences	1,332	8	8 ..	1,559	3	3
Wine (excise)	99,817	0	0 ..	2,500	0	0
Ditto (customs)	457,183	3	7 ..	526,103	4	1½
Sweets	6,200	0	0 ..	8,014	0	0
Surplus of duty on legacies, after reserving the average produce as aforesaid	28,267	12	3 ..	77,165	1	3
Ditto on hats, after ditto	37,471	1	6 ..	33,162	14	3
Reserved by acts 38 Geo. III. cap. 40 and 41, out of con- solidated duties on horses for riding, &c. in lieu of duty on horses, 1796, then repealed, at 106,000 <i>l.</i> per annum	127,897	11	10¼ ..	106,000	0	0
Ditto..ditto..for husbandry, ditto 2 <i>s.</i> duty on husbandry horses then repealed, at 95,000 <i>l.</i> per annum	103,903	9	3½ ..	95,000	0	0
Ditto..ditto..on dogs, in lieu of that duty, anno 1796, then repealed, at 70,000 <i>l.</i> per annum	75,065	15	9¼ ..	68,929	17	3
Ditto..duties consolidated, an- no 1798, in lieu of the duty of 10 <i>l.</i> per cent. 1796, then repealed, at 80,190 <i>l.</i> per annum	56,362	14	2 ..	81,151	2	7¼
Computed annual saving, by reducing the allowance for waste on salt	32,000	0	0 ..	32,000	0	0
Taken out of consolidated cus- toms, being the computed annual saving to the public, on account of the reduction in the drawback on the ex- portation of sugar	116,676	5	8 ..	116,676	5	8
	1,319,715	17	9½ ..	1,334,444	8	4½

DUTIES pro anno 1797.

Pepper	124,292	4	5½ ..	161,893	8	10½
Wrought plate	3	3	4½ ..	19	3	6
British spirits	91,664	0	0 ..	107,535	0	0
Foreign ditto	126,874	0	0 ..	157,964	16	0¼
Auctions	46,913	0	0 ..	50,844	0	0
Deeds	573,249	15	0 ..	687,460	11	8
Cocoa	5,433	0	0 ..	5,999	0	0
Clocks and watches (arrears) ..	35,420	0	0 ..	14,966	2	5¼
Carried forward	1,008,849	2	10 ..	1,186,682	2	6½

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APPENDIX.

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	1799.			1800.		
	£.	s.	d.	£.	s.	d.
Brought forward.....	1,003,849	2	10	1,186,682	2	6½
Stages	54,341	8	10	69,789	0	9
Sugar, bricks, &c.....	384,751	10	4	184,766	4	10½
Bricks	23,492	0	0	23,033	0	0
Tea	261,680	0	0	310,255	3	4
Spirit licences (cap. 17.).....	101,906	0	0	59,000	0	0
Ditto.....(cap. 102).....	13,250	0	0	7,750	0	0
20/ per cent. on assessed taxes (arrears)	153,915	0	0	52,126	5	4¼
Surplus of ditto, after reserving the sums directed by act 38 Geo. III. cap. 40 and 41...	74,327	10	10½	0	0	0
Surplus of duties on horses used for riding, &c. consolidated by ditto, cap. 41. after re- serving the sums directed to be set apart	15,241	16	2½	79,922	11	5¼
Surplus of duties on horses used for husbandry, ditto, after do.	108,455	0	1½	174,940	4	3¼
Surplus of duties on houses and windows, ditto, cap. 40. after ditto	220,382	12	8¼	304,497	19	7¼
Surplus of duties on inhabited houses, ditto, after ditto ...	40,202	10	7¼	18,980	15	0¼
Surplus of duties on male serv- ants, ditto, cap. 41. after do.	13,570	10	3	47,577	1	11¼
Surplus of letter money, after reserving the sums directed by act 37 Geo. III. cap. 18.	215,444	0	0	265,444	0	0
	2,684,789	2	9½	2,784,714	9	3½

DUTIES pro anno 1798.

Armorial bearings.....	20,585	0	0	29,732	0	8
Tea	78,329	0	0	151,889	16	8
Spirit licences	1,500	0	0	124,750	0	0
Surplus of duties on salt, after reserving the sum as directed by act 38 Geo. III. cap. 89.	203,325	8	0½	426,204	10	6½
	303,739	8	0½	732,576	7	10½

DUTIES pro anno 1799.

Coffee and sugar	0	0	0	243,056	15	9
Small notes	0	0	0	9,821	18	0
Canal and dock duty	0	0	0	7,612	12	0
	0	0	0	260,491	5	9

Note. In order to shew the real amount of the taxes imposed before and since the war, the produce of the duties on sugar, tobacco, and malt, now annually voted, are added to the old duties and to the new ones, of which they were respectively a part, while they were perpetual.

	1799.		1800.	
	£.	s. d.	£.	s. d.
Totals of Customs, Excise, Stamps, and Incidents, prior to the year 1793.....	14,275,487	0 9½	13,961,093	14 7½
Add the proportionate part of the produce of duties on sugar now annually voted.....				
1,141,317	13 2½			
Add the additional duty on malt ditto..	222,145	0 0		
Add the duty on tobacco on ditto	261,948	0 0		
			15,586,504	7 10
Total of Duties, pro anno 1793	218,535	8 5½	514,086	6 7½
Ditto.....1794	890,595	13 3½	689,433	6 1½
Add the proportionate part of the produce of the duties on sugar now annually voted.....			246,771	7 8½
Total of Duties, pro anno 1795.....	1,857,082	11 9½	1,611,424	11 11½
Ditto	1,819,715	17 9½	1,834,444	8 4½
Ditto	2,684,789	2 9½	2,784,714	9 3½
Add the proportionate part of the produce of the duties on sugar now annually voted			231,348	3 6
Total of Duties, pro anno 1798.....	303,739	8 0½	732,576	7 10½
Ditto			260,491	5 9
	21,049,945	2 11½		

Exchequer, the 29th day
of January 1800.

JAMES FISHER.

* Paid
** Now
† Provi
3,585,980
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The Total Amount produced by an Act for granting an Aid and CONTRIBUTION for the Prosecution of the War.

Voluntary contributions	£.2,826,823	19	4½
Assessed taxes	3,004,878	2	10½
	£.5,831,697	2	2¾

Exchequer,
11th Feb. 1800.

GROSVENOR CHARLES BEDFORD.

An ACCOUNT of the UNFUNDED DEBT and DEMANDS OUTSTANDING, on the 5th January 1800, under the Heads of Exchequer, Treasury, Army, Barracks, Ordnance, Navy, Civil List Advances, and any other Head of Public Service, specifying the same; distinguishing under each Head respectively the Particulars of which such Debts or Demands consisted: and also what Part of the said Debts or Demands was then provided for, and in what Manner and what Part thereof was then unprovided for.

EXCHEQUER—	£.	s.	d.
Land tax, anno 1797..... *	242,000	0	0
— anno 1798..... †	475,000	0	0
Malt tax, anno 1798..... *	71,000	0	0
Aid and contribution, anno 1798 †	493,500	0	0
Vote of credit, anno 1798..... *	385,500	0	0
Additional sum on 2d, 5th and 6th instalments of loan of 15,500,000l. anno 1799..... *	948,000	0	0
Further sum, anno 1799, for 1,500,000l. on 1st, 2d, and 3d instalments, income, anno 1799..... †	544,300	0	0
Supply, anno 1799.....	3,000,000	0	0
Ditto, anno 1799..... †	3,500,000	0	0
Vote of credit, anno 1799.....	1,914,000	0	0
Additional duty, exports and imports, anno 1798..... †	1,500,000	0	0
Consolidated fund, anno 1799**	2,000,000	0	0
Income duty, anno 1799, for 3,000,000l..... †	2,918,100	0	0
Ditto, for 1,500,000l.....	823,300	0	0
Malt tax, anno 1799.....	750,000	0	0
Ditto, anno 1800.....	750,000	0	0
Personal estates, anno 1800.....	46,000	0	0
Carried forward—	20,360,700	0	0

* Paid off since the 5th of January 1800.

** Now in course of payment.

† Provision is made for the whole of these sums, partly by specific votes for 3,585,980l. on account of deficiencies, and 1,914,000l. on account of the vote of credit of 1799: the remainder will be paid out of monies to arise from land and malt duty, aid and contributions, export and import, income duty, and surplus of the consolidated fund, except the sums of 3,000,000l. and 3,500,000l. which are replaced from year to year by other exchequer bills to a similar amount.

		£.	s.	d.
Brought forward.....	20,360,700	0	0	
TREASURY—				
		£.	s.	d.
Civil establishments, convicts, &c.	544,460	1	4	$\frac{1}{4}$
Treasury bills accepted previous to and on the 5th of January 1800, due subsequent to that day	61,912	18	4	
Warrants for army services	453,266	3	6	
		1,059,639	3	$2\frac{1}{4}$
ARMY—				
Ordinary services	1,076,076	0	0	
Extraordinaries.....	4,618	0	0	
		1,080,694	0	0
Barracks	131,279	0	0	
Ordnance.....	619,181	12	8	
Navy.....	5,992,288	4	$10\frac{1}{4}$	
Civil list advances, &c.....	66,864	15	4	
		6,809,613	12	$10\frac{1}{4}$
		29,310,646	16	1
<i>Whitehall Treasury Chambers,</i> <i>2d April, 1800.</i>				
GEORGE ROSE,				

ACCOUNT of the Net BALANCES in the Hands of the Distributors of
STAMPS in Great Britain, on the 5th of January 1800.

Between the 10th of October 1799, and 5th of January 1800.

	£.	s.	d.
Country distributors	132,160	14	$3\frac{1}{4}$
A. Menzies, distributor for Scotland.....	22,676	13	$9\frac{1}{12}$
Town distributors.....	847	7	4
	155,684	15	$4\frac{1}{3}$

24th March,
1800.

CHARLES STEDMAN,
Deputy Comptroller, and Accountant
General.

An ACCOUNT of the Total Amount of ARREARS due on the 5th of January 1800, from the Receivers General of the LAND and ASSESSED TAXES in Great Britain.

	£.	s.	d.
Wales, South... Leonard Bilson Gwyne.....	1,827	0	6 $\frac{1}{4}$
Huntingdon... John Jackson.....	3,763	0	9 $\frac{1}{2}$
Scotland..... John Fordyce	81,623	18	7 $\frac{1}{2}$
..... Keith Stewart	9,597	8	0
Surrey John Ford	14,480	0	0
Monmouth... Jacob Rudhall.....	3,971	13	4
Dorset Francis Steward.....	9,487	9	0
	124,750 10 3		

*Office for Taxes,
28th March, 1800.*

WILLIAM LOWNDES,
EDWARD MEDOWS,
HORACE HAYES,
BARNE BARNE.

AMOUNT of the Annual Charge of the PUBLIC DEBT, created in the Years 1793, 4, 5, 6, 7, 8, and 1799.

Charge.			Produce.			Surplus.			Deficiency.		
£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.
8,264,897	0	9 $\frac{1}{2}$	8,205,290	7	2 $\frac{3}{4}$	754,798	7	0 $\frac{1}{2}$	814,405	0	7 $\frac{1}{2}$
									754,798	7	0 $\frac{1}{2}$

Deficiency on the whole of the duties ended 5th January 1800 } 59,606 13 6 $\frac{1}{4}$

Feb. 4th, 1800.

GEORGE ROSE.

An ACCOUNT of the DEBT in EXCHEQUER BILLS outstanding on the 5th Day of January 1800; distinguishing the different Heads, the Funds on which the same are chargeable, and the Sums remaining in the Exchequer to satisfy the same.

EXCHEQUER BILLS.	OUTSTANDING.	CHARGEABLE UPON
Land tax anno 1797	242,000	Supplies 1799. By act 39 Geo. III. cap. 3.
Ditto 1798	475,000	Land tax, 1798.
Malt duty 1798	71,000	Duties 1798.
Ditto 1799	750,000	on 1799.
Ditto 1800	750,000	malt. 1800.
Personal estates 1800	46,000	Duties on sugar, malt, and tobacco, by act 39 Geo. III. sect. 2. cap. 3.
Aid and contributions 1798	493,500	Aid and contribution 1798. Exports and imports, and income duty.
Vote of credit 1798	385,500	Supplies 1799, or supplies of consolidated fund: } Paid off since.
Additional sum 1799	948,000	Loan 15,500,000l. ditto. ditto.
Further sum 1799	544,300	Income duty, or consolidated fund.
To a limited amount 3,000,000l.	2,918,100	Income duty.
Ditto 1,500,000l.	828,300	Income duty, or consolidated fund.
Ditto 1,500,000l.	1,500,000	Duty on exports and imports.
Consolidated fund 1799	2,000,000	3,200,000l. Surplus of consolidated fund, granted pro anno 1799.
3,000,000l. supply ditto	3,000,000	Supplies
3,500,000l. ditto ditto	3,500,000	of the
Vote of credit ditto	1,914,000	present year } Not yet provided for.
	£.20,360,700	

N. B. No monies remained in the exchequer at 5th January 1800, particularly applicable to the redemption of exchequer bills then outstanding.

Note.—The outstanding exchequer bills marked thus + are receivable for any duties composing the public revenue.
Exchequer, the 11th day of February 1800.
 GROSVENOR CHARLES BEDFORD.

An ACCOUNT of the Total Produce of the Tax upon INCOME, for the Year ending the 5th of April 1800, as far as the same can be made up and estimated; distinguishing the Amount in consequence of Assessments by the Commercial Commissioners.

Amount of Assessments as far as the same can be made up from complete Returns received, viz.

By commissioners for general purposes, and commissioners of appeal	£.	s.	d.
By commercial commissioners	4,426,047	4	10
	1,175,577	14	6½
	5,601,624	19	4½

The Amount of Assessments in Districts, from which complete Returns have not been received, may be estimated as follows, viz.

By commissioners for general purposes, and commissioners of appeal, from 140,000*l.* to 150,000*l.*

By commercial commissioners, from 40,000*l.* to 50,000*l.*

* By amount of voluntary contributions received between the 1st of January 1799 and the 1st of January 1800, about 255,000*l.*

By order of the Board,

Office for Taxes, 20th Feb. 1800.

H. PARKER.

* This is the amount of sums actually received within the year; but there is reason to believe it does not include the whole of the amount subscribed.

An ACCOUNT of the Total Net PRODUCE of the PERMANENT TAXES for the Year ending the 5th April 1800.

Totals of CUSTOMS, EXCISE, STAMPS, and INCIDENTS, prior to the year 1793	£.	s.	d.
Proportionate part of duties on sugar now annually granted	13,465,042	8	4½
Additional duty on malt, ditto	1,286,119	8	2½
Duty on tobacco, anno 1799, ditto	226,942	0	0
Ditto	396,500	0	0
Ditto	10,821	0	0
	15,385,424	16	7½
Total of duties pro anno 1793	303,719	3	4½
Ditto			
Proportionate part of duties on sugar, annually granted	987,636	4	0½
Total of duties pro anno 1795	1,547,519	5	8½
Ditto	1,301,229	1	11½
Ditto			
Proportionate part of duties on sugar, now annually granted	2,945,011	16	6
Total of duties pro anno 1798	834,780	13	7½
Ditto	290,599	6	6
Ditto	5,484	0	0
	23,601,404	8	4½

Exchequer,
the 9th day of June 1800.

JAMES FISHER.

An ACCOUNT of the Total PUBLIC FUNDED DEBT, as the same stood on the 1st of February 1800.

	£.	s.	d.
Bank of England 3l. per cent. annuities.....	11,686,800	0	0
Old and New South-Sea annuities.....	24,063,084	13	11½
3l. per cent. annuities, anno 1751.....	1,919,600	0	0.
3l. per cent. consolidated annuities.....	250,484,272	4	3¼
3l. per cent. reduced annuities.....	69,023,876	1	6
4l. per cent. ditto ditto.....	45,269,859	17	2
5l. per cent. ditto ditto.....	28,125,582	19	7
3l. per cent. annuities, anno 1726.....	1,000,100	0	0
5l. per cent. annuities, 1797.....	20,124,843	15	0
	451,699,919	11	5¾

These are to certify, that the commission appointed for the reduction of the national debt have purchased 44,733,294*l.* of the above capitals between the first day of August 1786 and the first of February 1800.

Office for the Reduction of the National Debt,
March 24, 1800.

JOHN FARHILL.

An Account of the Value of all EXPORTS from Great Britain, for fourteen Years, ending the 5th January 1800, distinguishing each Year.



Official Value of

British Produce and Manufactures exported.				Foreign Merchandize exported.			
1786....	11,830,372	18	11....	4,475,493	9	9	
1787....	12,053,600	3	5....	4,815,889	6	6	
1788....	12,724,719	17	9....	4,747,518	10	6	
1789....	13,779,506	2	6....	5,561,042	13	1	
1790....	14,921,084	9	7....	5,199,037	7	7	
1791....	16,810,018	16	4....	5,921,976	10	11	
1792....	18,336,851	6	11....	6,568,346	16	6	
1793....	13,892,268	17	7....	6,497,911	9	3	
1794....	16,725,402	16	2....	10,022,680	12	8	
1795....	16,338,213	2	2....	10,785,125	15	2	
1796....	19,102,220	3	11....	11,416,693	11	10	
1797....	16,903,103	6	1....	12,013,907	2	0	
1798....	19,672,503	0	9....	13,919,274	13	11	
1799....	24,084,038	15	10....	11,906,608	3	11	

Inspector General's Office,
Custom-house, London,
May 28, 1800.

THOMAS IRVING,
Inspector General of the Imports and
Exports of Great Britain.

END OF THE TWELFTH VOLUME.